

**NOMINATION OF GEORGE BUSH TO
BE DIRECTOR OF CENTRAL IN-
TELLIGENCE**

Mr. MATHIAS. Mr. President, this afternoon the Senate will consider the nomination of George Bush to be the Director of the Central Intelligence Agency.

I have to say, Mr. President, that I consider the nomination of George Bush as Director of the Central Intelligence Agency to be a regrettable nomination. I think it is an imposition on the Senate, I think it is an imposition on the Central Intelligence Agency, and not least of all, I think it is an imposition on George Bush. I have told the President personally that I feel that in sending this nomination to the Senate, he has posed for me one of the most difficult questions that I have confronted in 15 years of congressional service.

My concern is not that George Bush might become a candidate for Vice President. As a matter of fact, I would be glad to vote for him for Vice President. In 1968 I urged that he be considered for the Republican ticket, although at that time he was a freshman Member of the House of Representatives. In any event, he has publicly disqualified himself from political activity in the foreseeable future. Nor do I think that George Bush would use the powers of the Director of the CIA to manipulate domestic politics to foster such a candidacy to the advantage of the incumbent party. The mere suspicion that he would do so would be enough to disqualify him without further debate; but he is an honorable man, and I do not harbor any such suspicion.

It is not George Bush's future that concerns me about his nomination. It is his past that I worry about.

It seems to me that in his past George Bush has acquired an obstacle to his confirmation that is virtually insurmountable. It is all the more difficult for him, because, I suspect, that it was not a voluntary acquisition. I refer, of course, to his term as chairman of the Republican National Committee.

As a member of the Select Committee to Study Intelligence Operations I have learned more than a little about the intelligence business. It is highly subjective and very sensitive. Nuances matter. Appearances are important.

To place at the head of CIA any person who has previously been at the head of a partisan political organization is singularly inappropriate. It negates the concept that intelligence is something apart from ordinary political activity;

that it requires unusual intellectual application and extraordinary discipline and restraint not found in ordinary governmental agencies. It raises the question within the agency as to whether common political practices such as log rolling, back slapping, and compromise are to be the order of the day at Langley. It raises the question outside the Agency as to whether we have altered our original view that intelligence operations, at least in theory, ought to be committed to a priesthood bound by vows of political chastity.

In short it makes the Agency suspect. And the CIA is one agency of Government which, like Caesar's wife Pompeia, cannot afford to be suspected. When viewing the Agency we can be a little more understanding of Julius Caesar's harsh judgment that " * * * I will not that my wife be so much as suspected."

This is the problem for George Bush, but it is by no means a personal problem. It is a disqualification which to my mind would apply to all chairman of political parties, forever barring them from two specific offices of public trust: the directorships of the CIA and of the FBI. It is a disqualification that would operate impersonally to disqualify Lawrence O'Brien, Ray Bliss, Fred Harris, or Henry Jackson should any speculative President ever think of them as potential directors. I think if the rule were to be logically and consistently applied, it could disqualify George Bush.

This is a very hard conclusion for me to reach, because for me it is a personal problem. George and Barbara Bush are personal friends. They have been loyal when times were difficult and good company when there was a chance to relax and enjoy a few happy hours.

It is a decision of the sort that tears Senators apart; but to make the choice and cast a vote on a matter as critical as this on the basis of friendship and amiability would be to suggest that our Government can no longer make decisions grounded on hard facts. If this were the whole story, I would have to vote against George Bush's confirmation notwithstanding my affection for him.

But it is not the whole story. We are not acting under normal circumstances. My work on the select committee has given me some insight into the enormous and agonizing current problems of the intelligence community.

The CIA is in some degree in disarray. Its activities have been disrupted. The safety of its personnel is more than normally in jeopardy. The morale of the Agency must be restored. A reorganization and revitalization of the Agency is necessary at once if the Government is to obtain the information it requires to insure the security and welfare of the American people. The lessons learned

continued

from the cathartic experience through which the Agency has passed must be put into practice without delay. Any prolonged further agitation within and about the Agency could delay the process of reconstruction beyond the danger point. Eyebrows raised in both friendly and hostile foreign governments would become serious doubts and the essential element of confidence could slip away from us.

So this then is the real dilemma of the situation. The Senate must choose between taking a step that is generally conceded to be dubious or even wrong in principle, or the Senate must uphold principle at the very real risk of creating a serious chink in our national armor, and it is not an easy choice.

I think it should be noted that it is not a choice of George Bush's making either in its remote origin or in its immediate impact. He was reluctant to surrender his post as Ambassador at the United Nations to become chairman of the Republican National Committee. He did so because he was pressed by President Nixon, and very few Americans can withstand an urgent personal draft by the President of the United States.

I do not have a sense at this time that his appointment as Director of the CIA represents the fulfillment of any deep personal wish or cherished personal ambition. I believe that it also is the response to a Presidential draft.

The Senate ought to have a different choice, or better yet, ought not to be confronted with this one at all. If the President's advisers were more faithful to his real interests, I do not think that we would be faced with this issue. But such a wish cannot be entertained in the real world. We are faced with it and must deal with it.

The need for an effective intelligence service is both real and urgent. The months that would be required to recruit and investigate a new Director and to nominate and confirm him is time that we may not have. A continuing proper public debate over the conduct of our intelligence operations could become a very noisy and nasty political brawl if we add at this time a new controversy over the rejection of the President's nominee for Director.

The risk of further deterioration of our intelligence capacity is just too great.

The nomination of George Bush will have to be confirmed with all of the reservations that I have tried to express, because it seems to me that his confirmation represents the lesser of two evils.

At least we are aware of the existence of the taint of partisan politics. We have surfaced it; we have identified it, and we have raised the alarm about it. We know it is there and certainly George Bush knows it is there. It can be monitored, and it will be closely observed both within and without the Central Intelligence Agency.

On the other hand, the extent of the risk involved in a new confrontation cannot be estimated. Mr. Colby has delivered his valedictory, and he is ready to leave. His bags are packed.

The eruption of new factors and new issues, if this debate is continued, is pre-

dicatable, but their form and shape and the time they would consume is not predictable. It is too hard to guess what might be involved, and the stakes are too high to permit us a guessing game.

I shall, therefore, with reservations, vote to confirm the nomination of George Bush to be the Director of the Central Intelligence Agency.

Mr. MANSFIELD. Mr. President, I have listened with interest to the well thoughtout conscientious remarks of the distinguished Senator from Maryland. When I use the word "conscientious" I use it in its best sense because if there is a conscientious Senator in this body, it is the Senator from Maryland (Mr. MATTHIAS).

Recognizing all the questions which he has raised, it is my intention, nevertheless, to vote for the confirmation of George Bush to succeed Mr. William E. Colby, as Director of the CIA. I do so on the basis of his service in the House of Representatives, on the basis of his services as the U.S. Ambassador to the United Nations, and on the basis of his services as the chief of the U.S. Liaison Office to the People's Republic of China.

The question has been raised about his position as chairman of the Republican National Committee. I have given that consideration. To the best of my knowledge, while he was chairman of that committee, that committee was not involved in any way, shape, or form with the Watergate affair.

Perhaps a politician in that job might be a good thing, if he is a respected and honored member of that species. We have not had any politicians heading the CIA up to this time but rather non-politicians, and it is through some of them that some of the difficulties, now being investigated and inquired into, have arisen. I have an idea that what the select committee, the so-called Church-Tower committee, has been able to do will serve as a warning to the CIA, in general, and to the man, in particular, who heads it, and that there will be nothing more in the way of shenanigans in the years ahead.

I think that George Bush will go into that position, if he is confirmed by the Senate, with the knowledge that he is, in a certain sense, on the spot, and he will bend over backwards to perform, to the best of his ability, in line with what he considers to be the intent, not of a President, but of Congress.

Incidentally, may I say that I believe there has been too much emphasis on the CIA in the hearings conducted by the Church-Tower committee and not enough emphasis on the intelligence community, in general, where we will find most of the personnel and, I would not doubt, most of the expenditures as well, even though since 1969 all the intelligence agencies, with a few exceptions, have reduced their personnel by something on the order of 43 percent.

I do not approve of the names of CIA members being published in the newspapers. It is a horrendous thing to do because, in an underworld phrase, it, in effect, puts a "finger" on them and makes them more vulnerable. But I do anticipate that, if the Senate confirms Mr.

Bush, he will perform with integrity and understanding, and that the lessons of the Church-Tower committee will not be lost on him, especially, to repeat, or on the agency, in general.

Speaking of the Church-Tower committee, I wish to compliment the members of that committee because that committee has not been responsible for any leaks—and I have inquired into this matter—during the whole tenure of its existence. By and large it has acted on a basis of unanimity. The only split was last week when there were divergent views between the chairman and the ranking Republican member as to what kind of an oversight committee should be created once the Church-Tower committee goes out of existence.

Mr. President, it would be my hope that such responsibilities would not revert back again to only the three subcommittees, because they have not done a very good job in exercising their responsibility of oversight, and that is a conservative statement.

I hope that a standing committee of the Senate will be selected and, if possible, the House agreeing, a joint committee, to the end that there can be a better rapport between Congress and the CIA and the other intelligence agencies; to the end that, where the facts support it, those agencies can be supported; to the end that unfair charges against them can be done away with or faced up to in instances where they are unable to speak for themselves.

So it is with no trepidation on my part that I support the President's nomination of George Bush to the office of Director of the Central Intelligence Agency. His will not be an easy job.

I am delighted that the Senator from Maryland has made the statement he has, because that, too, will serve as a warning and that, too, I believe, will strengthen George Bush in the position which he will assume if Congress sees fit to confirm the nomination of the President.

**NOMINATION OF GEORGE BUSH TO BE DIRECTOR
OF CENTRAL INTELLIGENCE**

HEARING
BEFORE THE
COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE
NINETY-FOURTH CONGRESS
FIRST SESSION
ON
NOMINATION OF GEORGE BUSH TO BE DIRECTOR OF
CENTRAL INTELLIGENCE

DECEMBER 15 AND 16, 1975



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NOMINATION OF GEORGE BUSH TO BE DIRECTOR OF CENTRAL INTELLIGENCE

MONDAY, DECEMBER 15, 1975

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C.

The committee met, pursuant to notice, at 10:05 a.m., in room 1114, Dirksen Senate Office Building, Hon. John C. Stennis (chairman) presiding.

Present: Senators Stennis, Symington, McIntyre, Byrd of Virginia, Hart of Colorado, Leahy, Thurmond, Tower, Goldwater, and Bartlett.

Also present: T. Edward Braswell, Jr., chief counsel and staff director; W. Clark McFadden II, counsel; John T. Ticer, chief clerk; Phyllis A. Bacon, assistant chief clerk; Edward B. Kenney, John A. Goldsmith, Don A. Lynch, and Francis J. Sullivan, professional staff members; Roberta Ujakovich, research assistant; and Doris E. Connor, clerical assistant.

Also present: David A. Raymond, assistant to Senator Symington; Charles Stevenson, assistant to Senator Culver; Rick Inderfurth, assistant to Senator Hart; Doug Racine, assistant to Senator Leahy; and William L. Ball, assistant to Senator Tower.

The CHAIRMAN. Members of the committee, the chairman proposes that we receive a statement from Senator Tower of Texas, on behalf of the nominee, Mr. Bush of Texas. I have a short statement as chairman and then I will ask the gentleman from South Carolina, Senator Thurmond, for a brief statement. I understand Mr. Bush has a statement that I have not read, but I will call on him then. After that, we will proceed with questions.

We are pleased to have our visitors and we are also glad to have the press, radio, and television. Everyone will have to remain quiet, otherwise it will nullify the cause you have for being here. That will be a mutual undertaking for all of us and I am sure everyone will observe the rule. It is the price of staying in the hearing and I think it is a very cheap price to pay, especially when it serves your own purpose.

Senator Tower, we will be glad to recognize you, sir. You may proceed with your statement.

STATEMENT OF THE HONORABLE JOHN TOWER, A U.S. SENATOR FROM THE STATE OF TEXAS

Senator Tower. Thank you, Mr. Chairman.

It is a great pleasure for me to be able to present to this committee, on which I am proud to serve, my fellow Texan, George Bush, who has been nominated for the Office of Director of Central Intelligence.

I believe that George Bush is eminently qualified. He is a native of New England, has a distinguished war record, received his formal education at Yale, then displayed the eminent good judgement to move to Texas, where he has spent all of his adult life.

Mr. Bush has been very successful in the areas of petroleum resources development and drilling, always public spirited and always involved in public affairs. He resigned his corporate responsibilities in 1966 to run for the House of Representatives. He was reelected without opposition in 1968. Mr. Bush has served as the permanent Representative to the United Nations, and he has served as chairman of the Republican National Committee. He has served as chief of the U.S. Liaison office Peking, People's Republic of China.

George Bush has served always in every capacity with great distinction, and he was recognized early in his public career for his enormous accomplishment of being the first freshman Congressman to be appointed to the Ways and Means Committee in some 50 years prior to that time.

I believe the fact that he has a good intellect and good mind, an ability to marshal facts and reduce them to manageable proportions and draw the appropriate conclusions, and in view of his proven administrative ability I think he has all the equipment necessary to make for this country one of the most outstanding Directors of Central Intelligence that we have ever had.

I am, therefore, pleased and proud to have the opportunity to present him to the committee and to urge that the committee recommend favorably his confirmation to the Senate.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Senator Tower, as I said in the beginning, is a valuable member of our committee. We are glad to have him appear in this special capacity.

Senator Jackson is unable to be here this morning but according to his plans will be here this afternoon.

I do not think there is any chance of voting on this nomination today but, for some who cannot be here, I will say that we will not be voting today. I am sure that is agreeable to all the membership.

STATEMENT OF JOHN C. STENNIS, CHAIRMAN

Members of the committee, I have a short introductory statement written on the back of an envelope, so to speak. I also have a prepared statement that is partly historical about reviewing the enactment of the original National Security Act of 1947. I want to say a few words here. My desires and wishes would be that there not be any secret intelligence agency at all, the Central Intelligence Agency, but my judgment and experiences tell me that we must have such an agency. This is a new and different concept of government, as I see it, from anything we have had heretofore. Soon after the end of World War II we realized that we must have an intelligence gathering agency. Much of its work would have to be carried out in secret. Thus, we enacted as a part of the National Security Act of 1947, provisions for the creation of this Agency.

As I said, this statement is more or less for the record and for the information of the public at large if the media should see fit to use

it. Later, with the joining of NATO and other commitments, and I was here when these things happened, we were further convinced that such an agency, properly managed, was not only necessary but would be very useful in carrying out those commitments which were considered a part of our own national security. In spite of some bad things that have happened from time to time in different administrations, I know as a fact that the CIA has rendered very valuable services to our Government, to our national security.

Our Government, and this includes the Chief Executive and at least a major segment of the legislative branch, must have the benefit of what is going on in other countries, be they friendly or unfriendly. It is frightening to me to think of any President trying to proceed without intelligence of the nature that I have mentioned. Of necessity that power is given to this Agency under law and is placed largely in the hands of the Chief Executive, whoever he may be.

First, "through these hearings, we can emphasize the absolute necessity of a clear consciousness on the part of the Chief Executive of the Nation of this special power" and of the care and personal attention the President must give to this special and exceptional power and also give to the individual whom he selects to act for him under this law. I hope these hearings will emphasize that point. That is a fact of life that we know now but did not know when the act was originally passed.

It is a fact that the funds appropriated by Congress for this special Agency are placed directly in the hands of the President of the United States. In the final analysis, he is the one who directs the Agency in the use of these funds.

Further, there must be a surveillance by the Congress of the exercise of the power given and the funds provided to a President, any President. This system of surveillance must be marked out and carried out more intensively in the future than in the past.

Again, I mention these points now just to make clear that even though changes in the law and the system are needed, as I see it, proposed changes are not now the main focal point of these hearings. They are relevant and, of course, the question will be in order, but changes in the law or the system would require quite extensive hearings indeed. That is my belief, that extensive hearings planned for that purpose would be held on any major change of the law. The chief focal point of our hearings beginning today relate to the nominee, the Honorable George Bush of Texas. Mr. Bush is a gentleman that, so far as I know, has an honorable public career, a man of capacity and integrity. These matters and others are all placed in issue by his nomination. I believe this committee wants to make a full examination of his character, integrity, capabilities and other qualifications that pertain to the duties of the Director of Central Intelligence and related matters.

I have a further statement, members of the committee, that is more or less historical as to the law that I would like to place in the record at this point, together with the nomination reference and report and a biographical sketch of Mr. Bush.

[The prepared statement of Senator Stennis, together with the nomination reference and report and biographical sketch of Mr. Bush follows:]

PREPARED STATEMENT BY SENATOR JOHN C. STENNIS

The Committee meets this morning to consider the nomination of Mr. George Bush to be Director of Central Intelligence. He is to replace Mr. William Colby. Mr. Bush's nomination was forwarded to the Senate on November 4, 1975 and referred to the Armed Services Committee on the same date. It has been only within the last week, however, that Mr. Bush has been available to appear before this Committee.

STATUTORY BASIS AND DESCRIPTION OF POSITION

The position of Director, Central Intelligence was established in section 102(a) of the National Security Act of 1947. The National Security Act of 1947 was the culmination of years of studies, months of hearings, and weeks of deliberations by the Armed Services Committee. It is this Act that set up the National Security Council, restructured the defense establishment and created the Central Intelligence Agency (CIA). The Act was designed to provide a "national security organization" in which intelligence could play a vital and effective role. By law, the Director of Central Intelligence was made the executive head of a new agency for national intelligence—the Central Intelligence Agency. At the same time he was to be under the National Security Council, the Director of "central intelligence".

The National Security Act of 1947 prescribes various restrictions, powers, and responsibilities for the Director of Central Intelligence. Because of the integral relationship and overlap of the Intelligence Community and the Defense Department, the law explicitly requires that both the Director and Deputy Director of Central Intelligence shall not be military personnel and shall not be subject to military control. The Director of Central Intelligence is given special discretionary power to terminate the employment of any officer or employee of the Agency "whenever he shall deem such termination necessary or advisable in the interests of the United States". Furthermore, the Act grants special power to the Director of Central Intelligence to have access to all intelligence of the United States Government for correlation, evaluation and dissemination including information of the F.B.I. as may be essential to national security.

Finally, it should be noted that under law, "The Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure."

In addition to those provisions set forth in the law itself, executive orders and practice have further underscored the overall leadership role of the Director of Central Intelligence in the United States intelligence community. Under recent Presidents, the Director of Central Intelligence has served as the Nation's chief intelligence officer and principal advisor to the President and the National Security Council on all intelligence matters.

By and large, the 1947 National Security Act has served this Nation well. In recent years, however, I have concluded that the Charter of the Intelligence Community should be revised. Indeed, in 1973 I proposed legislation which would have made several changes to the National Security Act of 1947. Recent investigative disclosures about past intelligence activities have highlighted the need for some changes.

QUALIFICATIONS FOR THE DIRECTOR

Any person confirmed to the position of Director of Central Intelligence must be able to give momentum and direction to the necessary and inevitable changes that will be made in U.S. intelligence activities. The nominee must have the ability to gain quickly an understanding of the Intelligence Community and exercise effective control over it. He must possess an uncompromising objectivity regarding intelligence matters and the courage and integrity to rise above parochial interests.

ACCOUNTABILITY

As a matter of policy, the Democratic Caucus has adopted a requirement that every nominee appearing before the Senate be asked to provide a personal commitment to respond to requests to appear and testify before any duly constituted committee of the Senate. Such a commitment will of course be expected of any nominee to be Director of Central Intelligence. But the Director has a special responsibility in his dealings with the Congress that goes far beyond a mere commitment to appear upon request. Because intelligence must necessarily involve secrecy, the Congress is particularly dependent upon the personal integrity

and responsiveness of the chief U.S. intelligence officer. The Director personally must be forthcoming in keeping the Congress, or its chosen representatives and through the appropriate channels, properly informed. He must have and rightfully deserve the confidence of the Congress and the American people.

MR. BUSI'S BACKGROUND

Mr. Bush has had a distinguished career in public life. His first public office was as a member of the House of Representatives in the 90th and 91st Congress representing the 7th District of Texas. As a freshman Congressman, he was appointed to the Ways and Means Committee. In 1971, President Nixon appointed Mr. Bush to be Ambassador to the United Nations. At that time he appeared before the Senate Foreign Relations Committee and was confirmed in the Senate by voice vote for the UN ambassadorship. In January, 1973 he became Chairman of the Republican National Committee. Mr. Bush is Chief, United States Liaison Office, the People's Republic of China and has served in this position since September 1974.

NOMINATION REFERENCE AND REPORT

IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
November 4, 1975.

Ordered, That the following nomination be referred to the Committee on Armed Services:
George Bush, of Texas, to be Director of Central Intelligence, vice William Egan Colby.

DECEMBER 18, 1975.

Reported by Mr. Tower with the recommendation that the nomination be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

BIOGRAPHICAL INFORMATION ON GEORGE BUSH

Born: June 12, 1924, Milton, Mass.

Education: Phillips Academy, Andover, Mass., 1937-41; Yale University, New Haven, Conn., 1945-48: Bachelor of Arts, Economics, 1948; Phi Beta Kappa; Delta Kappa Epsilon; Varsity soccer, 1 year; Varsity baseball, 3 years; captain, two-time NCAA Eastern Championship Team.

Marital status: Married to former Barbara Pierce of Rye, N.Y., January 6, 1945.

Children: Four sons, one daughter.

Military: Commissioned Ensign at age 18, Corpus Christi, Texas Naval Air Station, June 1942; Active duty World War II, 1942-45; Carrier pilot, U. S. S. *San Jacinto*, 3d and 5th Fleet, Pacific. Shot down in combat 1944, Bonin Islands; Awarded Distinguished Flying Cross and three air medals; Honorable discharged with rank of Lieutenant (j.g.), 1945.

Profession: Oil field supply salesman, Dresser Industries, Midland, Tex., 1948-51; Formed Bush-Overbey Oil Development, Inc., 1951, Midland, Tex.; Cofounder, Zapata Petroleum Corp., 1953, Midland, Tex.

Profession: Cofounder, first president of Zapata Off-Shore Co., 1954, Midland-Houston, Tex.; Resigned in February 1966, to run for Congress.

Government: Candidate for U.S. Senate, Tex., 1964, 1970; Congressman, 7th District, Tex., elected November 8, 1966:

—Unopposed for re-election, 1968.

—Member, Ways and Means Committee, one of the few freshmen members of the House ever selected for service on that Committee.

—Sponsor of legislation on ethics, setting priorities in federal spending and bilingual education.

—Chairman, Republican Task Force on Earth Resources and Population.

—During 91st Congress, he was appointed by the Speaker of the House to the 12-member House delegation to the Ninth Mexico-United States Inter-parliamentary Conference.

Permanent Representative of the United States to the United Nations, sworn in February 26, 1971.

- As Ambassador, he was a member of the President's Cabinet and a regular participant in all Cabinet meetings, March, 1971–January, 1973.
- United States Permanent Representative at the 26th and 27th sessions of the United Nations General Assembly.
- President's Representative at all meetings of the United Nations Security Council, March, 1971–January 1973.
- Chief United States Representative to annual meetings of the United Nations Economic and Social Council, Geneva, 1971 and 1972.
- United States Representative at February, 1972, meeting of the United Nations Security Council in Addis Ababa, Ethiopia.
- President's Representative for special mission inspection tour of 10 African countries, February, 1972.
- Chairman, Republican National Committee appointed January 1973:
- As Chairman, attended and was a regular participant in meetings of the President's Cabinet, January, 1973–September, 1974.
- Chief, U. S. Liaison Office, Peking, People's Republic of China, appointed September, 1974.
- Awards:
- Honorary Doctorate Degrees from Adelphi University, Austin College, Beaver College, Northern Michigan University.
- Anti-Defamation League Man of Conscience Award, New York City, 1972.
- Selected by Texas Junior Chamber of Commerce as one of "Five Outstanding Young Men of Texas," 1956.
- Civic Affairs:
- Chairman, Houston, Texas Heart Fund, 1966.
- Chairman, Texas Heart Fund, 1967–69.
- Lifetime trustee, Phillips Academy, Andover, Massachusetts.
- Community Associate, Lovett College, Rice University.
- Church:
- Member and former vestryman, St. Martin's Episcopal Church, Houston, Texas.
- Member of the Board, Episcopal Church Foundation.

The CHAIRMAN. Mr. Bush, we are glad to have you here. You have been before committees of the Senate before. I remember one in particular. You told me a few minutes ago that you do have a prepared statement and the members have it before them.

I would like to recognize now Senator Thurmond, the valuable ranking minority member of our committee.

**STATEMENT OF THE HONORABLE STROM THURMOND, A. U.S.
SENATOR FROM THE STATE OF SOUTH CAROLINA**

Senator THURMOND. Thank you, Mr. Chairman.

Mr. Bush, I am very interested in the work of the CIA. I have been very concerned over what has been happening in this country, the attitude of some people toward the CIA and the other intelligence-gathering agencies of our Government.

In fighting a war one of the most important things is known as the G-2. The G-2 is a man who collects intelligence on the enemy. In peacetime, if our President is going to make wise decisions, he must have intelligence, he must have knowledge, he must have information as to what is going on in different parts of the world and especially with regard to potential enemies.

If you are confirmed for this position, it is my sincere hope that you will not have your ardor lessened in the least because of this investigation of the CIA and other intelligence agencies. We have three members, I believe, of this committee who are on the Select Committee on Intelligence—Senators Tower, Goldwater, and Hart of Colorado. In my judgment, it is extremely important, regardless of what some of

the big newspapers and news media of every kind say, that you dedicate yourself to gathering the information that the President of the United States needs because he cannot act wisely unless he has it. It is vital to our survival in my judgment. I hope that in the performance of your duties you will not be discouraged in the least by the actions of some people, especially some news media in this Nation.

In looking over your biography, I notice you are well educated. You graduated from Yale, Phi Beta Kappa. You were an athlete, in varsity baseball, I believe, for 3 years, and captain of the team. You went into the service at age 18, became an ensign, and served 3 or 4 years in the Navy. You were shot down in combat, awarded the Distinguished Flying Cross, and three Air Medals, all of which to me is impressive. It is impressive to me because you have served your country in uniform and you have been acknowledged by your country as being worthy of decorations.

Then you have held important positions in government—Congressman from Texas, I believe, for three terms, Permanent Representative of the United States to the United Nations, Chairman of the Republican National Committee, and Chief, U.S. Liaison Office, Peking, People's Republic of China.

I was impressed, too—it may sound like a little thing but it shows a part of a man, an important part, I think—the fact that you served as the chairman of the Texas Heart Fund and that you serve as lifetime trustee at Phillips Academy, and community associate, Lovett College, Rice University.

I think all of this shows an interest on your part in humanity, in civic development, love of your country, and willingness to serve your fellow man. From your experience and your intellectual integrity, the reputation you bear for honesty, it seems to me that from all of this experience and your personal qualities that you are well qualified to fill this important position. Speaking for myself, I shall be very pleased to support you.

The CHAIRMAN. Thank you, Senator. All right, gentlemen. If it is agreeable with the committee we will now proceed with Mr. Bush.

**STATEMENT OF GEORGE BUSH, OF TEXAS, NOMINEE TO BE
DIRECTOR OF CENTRAL INTELLIGENCE**

Mr. BUSH. Thank you, Mr. Chairman, and members of the committee. My particular thanks to my fellow Texan, Senator Tower. I am pleased to be back in the United States. I am still on Peking standard time so I am a little tired and I hope you will forgive me, Mr. Chairman.

My nomination was sent to this committee some time ago but I was unable to leave China prior to the President's trip to the People's Republic. The President left Peking on December 5 and Mrs. Bush and I left on December 7.

I recognize that I am being nominated as Director of the CIA at a very complicated time in the history of this Agency, and indeed in the history of our country. In fact, having been in China for a year, I did not fully realize the depth of the emotions surrounding the CIA controversy until I came back here. But be that as it may, I have a few fundamental views that I would like to set out in the brief state-

ment and then, sir, I will be happy to respond as frankly, as honestly as I can to any of your questions.

First, my views on intelligence. I believe in a strong intelligence capability for the United States. My more than 3 years in two vital foreign affairs posts, plus my attending Cabinet meetings for 4 years, plus my 4 years in Congress, make me totally convinced that we must see our intelligence capability certainly maintained and I would say strengthened. We must not see the CIA dismantled.

Reporting and investigative reporting in the papers and investigative work proper by the Senate and the House have brought to light some abuses that have taken place over a long period of time. Clearly things were done that were outrageous. Some of them were morally offensive. And these must not be repeated and I will take every step to see that they are not repeated.

I understand that Director Colby has already issued directives that implement some of the decisions of the Rockefeller Commission, decisions designed to safeguard against abuses. If confirmed, I will do all in my power to keep informed personally, to demand to the highest ethical standards from those with whom I work, and particularly to see that this Agency stays in foreign, I repeat, foreign, intelligence business.

I am told that morale at the CIA and indeed in other parts of the intelligence community is low. This must change and I am going to do my best to help change it. Some people today are driven to wantonly disclose sensitive information—not talking here about the Congress—not to the proper oversight authorities of the Congress but to friend and foe alike around the world. In many instances this type of disclosure can wipe out effective operations, can endanger the lives of patriotic Americans and can cause enormous damage to our security.

I view the job of Director of Central Intelligence not as a maker of foreign policy but as one who should forcefully and objectively present to the President and to the National Security Council the findings and views of the intelligence community.

It is essential that these recommendations be without political tilt.

It is essential that strongly held differences within this very large community be presented. It is essential that without regard to existing policy or future policy, the intelligence estimates be presented cold, hard, truthful.

I am convinced that I have the proper access to the President that was strongly emphasized in the recent Murphy Commission report. I hope you find, gentlemen, that I have the proper integrity and character to do this job.

Further, I see running of the CIA as very important, but I see the responsibility for coordinating all of our foreign intelligence activities as even more important. The CIA has a fundamental input into intelligence estimates, but so must the other agencies.

I will be fair to all, but I will do my level best to eliminate unnecessary duplication of effort and minimize interagency bureaucratic disputes. It will not be easy. I am told, but I will try hard on this.

Now, Mr. Chairman, a word about my personal qualifications. I am familiar with the charges, very familiar with them, that I am too political for this job. Here is my side of the story.

Yes, I have been in politics. I served 4 years in Congress. I served 2 years as chairman of my party and I have no apology for either service. Indeed, I am proud to have served in partisan politics.

Some of the difficulties the CIA has encountered might have been avoided if more political judgment had been brought to bear. And I am not talking about narrow political partisanship. I am talking about the respect for the people and their sensitivities that most politicians have a real feel for and understand. I do not view political experience as a detriment, Mr. Chairman. I view it as an asset, but I also recognize the need to leave politics behind the minute I take on the new job if this Senate confirms me.

And I would like to add, if confirmed I will take no part, directly or indirectly, in any partisan political activity of any kind. I will not attend any political meetings. I will give no political speeches nor make any political contributions.

My ability to shut politics off when serving in nonpartisan jobs has been demonstrated in two highly sensitive foreign affairs posts, as I hope this committee can verify.

For 2 years I was Ambassador at the United Nations, and for a little over a year I served as Chief of the U.S. Liaison Office in Peking. Both jobs taught me a lot about the product of our intelligence community. Both taught me the fundamental importance of retaining an intelligence community second to none.

Frankly, many of our friends around the world and some who are not friendly are wondering what we are doing to ourselves as a nation as they see attacks on the CIA. Some must wonder if they can depend on us to protect them if they cooperate with us on important intelligence projects.

I think many admire our ability, and justifiably so, to cleanse ourselves and admit mistakes. But in something as sensitive as intelligence they frankly hope that we do not go so far that we will kill off an important asset that they themselves and the free world vitally need for their own security.

In addition to my foreign affairs assignments, I attended Cabinet meetings from 1971 to 1974. Those 4 years gave me I think a good insight into some of the foreign policy considerations facing our country.

I think this foreign affairs background will be useful in my new job.

I also feel the administrative experience that I had in starting and running a business enterprise, which prospered, will be helpful.

Now, lastly, I will address myself to a question that is on the minds of some members of this committee. It is on the minds of many people in the United States who are not on this committee, and I believe from reading the newspapers it is on the minds of many people who are responsible for the editorial contact with many of the readers of newspapers, and that is mainly the question of my having been considered in the past for the position of Vice President of the United States.

When Secretary Rumsfeld was before this committee not so long ago, his name having been speculated on for Vice President, he said, "It is presumptuous of me to stand up and take myself out of consideration for something I am not in consideration for."

The committee accepted this answer then and I offer it now.

But let me just add a little bit more here.

If some individual or group comes forward promoting me for Vice President when I am Director of CIA, I will instruct them, ask them, to cease such activity.

But then there is one other question and I decided to get it out openly and frankly and I decided the committee was entitled to my frank feelings on this. The question is this: "Even if you have not lifted a finger to seek the nomination and even if you have actively discouraged others from advocating you for office, and the nomination is then offered to you, will you then accept?"

I cannot in all honesty tell you that I would not accept, and I do not think, gentleman, that any American should be asked to say he would not accept, and to my knowledge, no one in the history of this Republic has been asked to renounce his political birthright as the price of confirmation for any office. And I can tell you that I will not seek any office while I hold the job as CIA Director. I will put politics totally out of my sphere of activities.

In this new job I serve at the pleasure of the President and I plan to stay as long as he wants me to.

Some of my friends have asked me, "Why do you accept this job with all the controversy swirling around the CIA, with its obvious barriers to political future?"

My answer is simple. First, the work is desperately important to the survival of this country and to the survival of freedom around the world. And second, old fashioned as it may seem to some, it is my duty to serve my country. And I did not seek this job but I want to do it and I will do my very best.

Thank you, Mr. Chairman.

The CHAIRMAN. All right, Mr. Bush. You have made a very impressive statement here.

On this Vice Presidential matter, I am glad you covered that. I did not know that you were going to cover it but I am glad that you did. I say with all deference to all former Directors of this Agency—it is a difficult job. If I thought that you were seeking the Vice Presidential nomination or Presidential nomination by way of the route of being Director of the CIA, I would question your judgment most severely. [Laughter].

I would not vote to approve you on the basic judgment and basic qualifications, because as I see it, this would be the very opposite of preparation for aspirations or planning, either one of those offices. Others may see that differently but that is the way I see it and politically it is almost as impossible a job as being mayor of New York City, for instance, and I say that with deference to Mayor Beame and others.

I think, too, personally as I see citizenship, you have gone as far as a man should go in declarations. People jump us, view anything as not being considered. Of course, as far as you know, our political system is contrary to a man renouncing every other office or any other office unless he has a personal desire to.

Now, you have answered most of the questions that I had. I want to say to the committee that the nominations of Mr. Rumsfeld and Mr. Bush came over together or one followed the other. In discussing the question of the hearings, I told them we would take up the Secretary of Defense first. I understood Mr. Schlesinger was leaving before that

week was out, and Mr. Colby was going to stay on. I was told that you were in China and would have to remain there some time at least and that when you got back and were acclimated a little, the committee would be notified. This is the way the delay came about.

I was concerned at first that we might not be here this week but then found out we would be in session most of the week. We then set the hearings at this time.

Now, to go to your background, Mr. Bush, in preparation for this very difficult assignment. I wish you would state a little more about the experiences you have had that relate to these duties and assignments. For instance, NATO, how long you were there? Tell us something about your contacts and, the feel of things. Then your experiences in China, without making disclosures of confidential matters, of course, but you have a background that few men have had that come to this office. Enlarge on that some, please.

Mr. BUSH. Mr. Chairman, at the United Nations I was the permanent representative for 2 years, I came into contact with in those days I think there were 134 member nations, and now it is 148 or 145. I felt that in spite of the hostile rhetoric in that place, particularly because the United Nations is getting to be more and more group oriented—the African group, the Latin American group—there is an Arab group—and that the members who have served there from the Foreign Relations Committee and Foreign Affairs Committee, found that member countries they talked to individually would tell them one thing, but in group positions, they would hear something else.

My observation, based on bilateral contacts, is that many countries whom we might assume were hostile to us from group statements are really friendly to us. I took a trip in 1972, I believe it was, to 9 or 10 African countries for the President. When I got into a bilateral basis, I found that most of these countries individually were extremely interested in seeing the United States stay strong and—we did not get into the intelligence question—in linking the United States to their freedom or to their right to exist independent of others.

In China, that was a very different experience and that experience put me in touch with the largest country in the world. It put me in touch with very, very powerful and strong-willed principled leaders. I saw more clearly then through their eyes and through the eyes of my diplomatic colleagues, the importance of being strong as a nation, with particular regard to the possible problems that can emerge from the Soviet Union.

And the diplomatic community there in China again reflected the same thing I experienced in the United Nations, sometimes groups enforcing positions of their governments that I was not particularly happy about, but then on a bilateral basis encouraging us to stay strong as a nation.

So without going further, I think these 3 years in foreign affairs convinced me that we are the only hope of the free world. There is no other one. None at all in this world. And we have got to be strong militarily, but to do it we have got to understand the threat. We have got to utilize intelligence and it has happened since history began. We must keep and strengthen our intelligence capability. Having said that, I repeat I am not condoning any of the excesses of the past. Indeed, I pledge myself to do what I can to see that they are eliminated.

That is a very general answer, sir.

The CHAIRMAN. It has been my observation in the case of other nominees who undertook this job that, as a minimum, it takes 12 months of intensive application to get on top of the job, so to speak, to get the feel of it, the many angles and ramifications. These are worldwide as you know, and certainly domestic, too.

Are you willing to put whatever intensive application is necessary into that, in order to get on top of it? Have you thought that out?

Mr. BUSH. I have thought it out. I am committed to it. I hope that my record reveals I am not opposed to hard work. Indeed I have done it since I can remember and I certainly will make that commitment—I have no other plans. My plan is to get in there. There is an awful lot of learning to be done. I have been back here a week and have not had access to much of the classified information even now, and probably that is better until the Senate disposes of this matter one way or another, but I promise you, sir, that I will set an example out there in terms of hours, in terms of hard work, that I think this committee will be proud of. I have done it before and I am prepared to do it again.

The CHAIRMAN. I ask every nominee this question; in simple terms now, boiled down, why do you agree for your name to be submitted and to undertake this job?

Mr. BUSH. I have a—I hope you understand this one. I have a sense of obligation to this country. I am one who is old fashioned in the sense that I think duty and obligation to serve still should be inculcated into every son and every daughter of every father, and I feel strongly about it. My foreign affairs experience has taught me the absolute essentiality of this work and it is for—this reason that I undertake this job—it is no more complicated than that. I did not seek this job. I was riding my bicycle in Peking, coming home from church. A messenger came up and said: "Say, there is news for you back at the office." I went back there, held up this telegram, and it was out of a cold clear blue China sky that this thing descended on me. And I thought about it, not long, thought about it and decided as I think maybe your opening comments confirmed, there is nothing in this politically for me. It is my obligation to my country and I just hope I can convince those who cannot accept that because maybe they do not know that to me that is what motivated me. I think my reply to the President of the United States when I sent it back reflected that.

The CHAIRMAN. You did not volunteer. They volunteered you.

Mr. BUSH. Yes, sir.

The CHAIRMAN. All right.

Senator Thurmond?

Senator THURMOND. Mr. Chairman, I have a few questions that can be answered for the record in order to save time. I am very pleased with the statement Mr. Bush has made here and I suggest that he answer these questions for the record.

Mr. BUSH. Thank you, sir.

RESPONSES BY GEORGE BUSH TO WRITTEN QUESTIONS OF SENATOR STROM THURMOND

Question. Mr. Ambassador, what is your concept of your job as Director of Central Intelligence?

Answer. To provide intelligence to the President and the NSC and to coordinate intelligence from the entire intelligence community in addition to providing overall management of the intelligence community.

Question. In providing the national intelligence estimate to the President, do you feel strong differences of opinion should be noted in the final product?

Answer. Yes.

Question. How would you define the charter of the Central Intelligence Agency?

Answer. The CIA was chartered for the purpose of coordinating intelligence activities of several departments and agencies in the interest of national security. Its major responsibilities include correlation, evaluation and dissemination of intelligence relating to the national security to the President, the National Security Council and other government departments and agencies as appropriate. To fulfill these responsibilities the CIA must administer an active program of collection and the DCI must participate in the overall coordination of Intelligence Community collection. It is clearly understood that CIA will have no police, subpoena, law-enforcement powers or internal security functions.

Question. What is your opinion of the role of the National Security Council Intelligence Committee?

Answer. The National Security Council Intelligence Committee should serve as the major communication link between the primary consumers and the producers of intelligence. The NSCIC should provide guidance to the Intelligence Community on consumers' priority needs. In addition, I believe that the NSCIC can perform a valuable function by evaluating the intelligence product. It is this kind of cycle—consumer guidance, consumer feedback—that will lead to a better and more useful intelligence product.

Question. How do you envision your interface with the Secretary of Defense?

Answer. Inasmuch as the Secretary of Defense has overall responsibility for DIA and NSA, as well as the intelligence functions of the various Services, there must be a close relationship. Prime interaction will come through meetings at the NSC. I view the Secretary of Defense both as the manager of significant intelligence resources and as a major consumer in his NSC policy making role; I view the DCI as one who presents objective intelligence to the NSC and to the President.

Question. Can you conceive of any requirement for the CIA to engage in any domestic surveillance?

Answer. No. I believe that any such activity required should be conducted by the Federal Bureau of Investigation or other appropriate law enforcement bodies.

Question. Mr. Ambassador, as one who would report directly to the President, would you be inclined to accept instructions from some agent of the President, such as his staff director or possibly a Secretary of State?

Answer. As DCI, I am responsible to the President and will take his instructions in whatever manner he finds appropriate to communicate them to me. Certainly, on most routine, day-to-day matters, instructions will come through an agent of the President. However, the President has promised me direct access. I will not abuse this access, but I certainly will use it if ever have questions about the propriety of any instruction and to see that the views of the intelligence community are properly presented to the President himself.

Question. What do you envision as the chief problems of your position in view of the recent wide exposure of the CIA's responsibilities and activities?

Answer. While the current Congressional hearings have been a necessary and helpful evaluation in improving the management and oversight of the intelligence community, they have inevitably raised questions abroad about the integrity and reliability of the United States and, in addition, there are morale problems within the intelligence community. I think it is imperative that the country itself backs

the legitimate activities of the CIA. Management and control of the Agency itself could present major problems at the outset. I will take seriously the Director's responsibility "for protecting intelligence sources and methods from unauthorized disclosure" and likewise working out a proper relationship with Congress is important. All of the problems are important—none appear to be insoluble.

The CHAIRMAN. Senator Symington?

SENATOR SYMINGTON. Thank you, Mr. Chairman.

Mr. Ambassador. It is an impressive statement you have made. Based on the remarks made already, it would appear as if you were already confirmed. But I would ask a couple of questions, and make a few comments.

First, I believe a strong economy and a sound dollar is just as important to true national security as anything else. Without an economy that is viable, this country could not preserve its system. You would agree, would you not?

MR. BUSH. Yes, sir.

SENATOR SYMINGTON. I thought so, based on your record and your extensive experience. I do not know of any man your age who has had more. Now, much of the criticism of the CIA, it is clear to me, is the fault of Congress, not just the CIA. This committee's Subcommittee on Central Intelligence has never really looked into the CIA, which it should, if it wants to assume the obligation.

As perhaps the greatest industrialist I knew once said: "If a man thinks he is being watched, it is about as good as watching him." The Central Intelligence Agency has known for many years that, in effect, it was not really being watched.

I hope you will do in this job what was done by law with respect to the Atomic Energy Act. It was difficult to get any real interest in this committee, for a long time, in the development of nuclear weapons, and difficult in the Foreign Relations Committee to get any real knowledge of the great and growing impact of nuclear weapons. It was like trying to pull teeth.

So I went on the Joint Atomic Energy Committee because under the law it is the obligation of the Atomic Energy Committee to keep the congressional committee fully informed of all developments. There I found out more about atomic weapons in a few weeks than in the previous 20 years, even though I served more than 20 years on this committee. The Backfire bomber and even more the Cruise missile are probably the two most important new items under discussion from the standpoint of the future of your children and my grandchildren: and an independent civilian analysis of these from the CIA could not be more important.

I would hope you would agree that even if not questioned, that you would come before this committee and volunteer anything that you thought was wrong in the way of foreign situations or developments, your own thinking about what would be best for the country. Would you do that?

MR. BUSH. Senator Symington, I hope that I—I know that my experience in Congress has taught me great respect for it, and I am confident that I could cooperate fully with the proper oversight committees in that regard. And I would.

SENATOR SYMINGTON. That is not a direct answer, but I would hope—

Mr. BUSHL. The answer is "Yes."

Senator SYMINGTON. That is direct. Thank you very much.

The reason I bring this up is that, with one conspicuous exception, the CIA estimate of what a possible enemy had was invariably lower when it came to ground power than that given to the committee by the Army, the same with respect to the Navy and Air Force. There are some of us who believe that most of what we buy is necessary for the security of the United States, but some is not necessary; and all directly affects the economy.

You report directly to the President of the United States; do you not?

Mr. BUSHL. Yes, sir, and the National Security Council, but I have—

Senator SYMINGTON. The National Security Council is merely an advisory board to the President. I have held two positions on the National Security Council, and with all due respect to that; what I want to know is whether President Ford will give you direct access to him.

Mr. BUSHL. On direct access to the President, I did ask that in my acceptance and it was agreed to by the President.

I made clear before—as a matter of fact, as a proviso of acceptance of the job—that I would have direct access to the President and the President agreed to that, Mr. Chairman.

The CHAIRMAN. That was not clear.

Senator SYMINGTON. Thank you.

Several years ago two of the ablest Senate staff investigators went around the world. They were primarily interested in uncovering the covert operations going on in Laos. But while coming back they looked over various matters and reported that the duplication and waste of intelligence in the Mediterranean was the most they had ever seen anywhere, anyplace, any time. The CIA, the DIA, the NSA, the ONI, Air Force intelligence, Army intelligence; and also an intelligence setup in the State Department under a former Deputy Director of CIA. Everybody was collecting everything.

Much, if not most of it, was not being read. The taxpayers were paying for all of it. With your background, would you be interested in looking into such matters? After all, you will be heading the No. 1 intelligence agency in the Government, but one that only gets but a small fraction of the total intelligence dollar.

Mr. BUSHL. Senator Symington, I certainly would. I cannot tell you at this time that I know exactly where the major points of duplication are. I know enough about the job now to know that as the Director of Central Intelligence that you do have some responsibilities, major responsibilities, though in some places not total authority for coordination, but as I implied in my statement or stated in my statement, I viewed that responsibility as terribly important and I will do my best to eliminate duplication. I did notice that previous Directors testifying here indicated that in some cases duplication in analysis, say, from DIA, CIA, could be helpful at times. But that is not what you are talking about. You are talking about waste and I will do my best to eliminate that.

Senator SYMINGTON. Thank you.

Somebody mentioned the mayor of New York. A prominent banker observed recently that if the truth was actually known, the condition of the Federal Government from the standpoint of assets versus liabilities, was far worse than that of the city of New York; the only difference being that Washington has the printing presses. My experience makes me believe there is merit in that observation.

One more line of questioning. An article written by General Graham—I will read one paragraph from this article—and, Mr. Chairman, I ask unanimous consent the article be made a part of the record at this point.

The CHAIRMAN. Without objection the article will be included in the record.

[The article follows:]

[From: Army, April 1973]

STRATEGIC INTELLIGENCE—ESTIMATING THE THREAT: A SOLDIER'S JOB

[By Maj. Gen. Daniel O. Graham¹]

In his landmark book, *The Soldier and the State*, Professor Samuel P. Huntington draws our attention to an extremely important and sometimes neglected fact:

"The military institutions of any society are shaped by two forces: a functional imperative stemming from the threats to the society's security, and a social imperative arising from the social forces, ideologies, and institutions dominant within the society...."

So, the reason for the existence of our armed forces is to counter threats to our security, and the function, composition and size of those forces depend on the perception of threats by the national leadership. If the military profession loses its role in describing these threats to national security, it surrenders much of its influence in decisions about military strategy, military force structure and the nature of its own armaments.

We have in the past ten years come perilously close to losing this vital role. The impact of the intelligence views of the Department of Defense was progressively weakened between 1960 and 1970, and the voice of civilian agencies in all facets of military intelligence became progressively more dominant. The military budgets carried the onus of heavy outlays for intelligence collection, but the key intelligence judgments derived from this costly effort were for the most part made in other agencies.

This situation can be too easily dismissed as the result of bureaucratic maneuvering, of "whiz kids" ignoring military advice, or of the general growth of anti-military sentiment in and out of government. The fact is that the muting of the military voice in military intelligence was largely of our own doing. Military professionals—both users and producers of intelligence—through failure to understand the strategic intelligence function, downgrading of the role of intelligence in general and sometimes abusing the intelligence process, have in the past produced the best arguments for taking the responsibility for threat description out of military hands. Now is the time to face these facts, and to take the attitude and the necessary steps to correct the situation.

One has little difficulty in arguing the need for good tactical intelligence among military professionals these days. One prime lesson learned in Vietnam was the fact that superior military force cannot be brought to bear in the absence of good intelligence. The Army has acted and is still acting vigorously to insure that good tactical intelligence will be available to commanders in all levels of warfare. However, we are concerned here with an area about which there is less agreement—strategic intelligence.

Strategic intelligence is that which is used to make strategic decisions. This fact is often lost sight of among planners and decision-makers. There is a tendency

¹ Maj. Gen. Daniel O. Graham, a 1946 graduate of the U.S. Military Academy, now deputy director for estimates in the Defense Intelligence Agency, has served in several posts in the Office of the Assistant Chief of Staff for Intelligence and the Central Intelligence Agency, and commanded the 319th Military Intelligence Battalion in U.S. Army Pacific. In Vietnam he was chief of the Current Intelligence, Indications and Estimates Division, Directorate of Intelligence Production, in the office of J2, U.S. Military Assistance Command.

to think of intelligence gathered by Washington-controlled resources as "strategic" and that gathered by the commands as "tactical" or "operational" intelligence. This is nonsense. If intelligence is used to make tactical decisions, it is tactical intelligence; if it is used to make strategic decisions, it is strategic intelligence. The means by which it is collected is quite beside the point. For example, in 1950, when front-line troops reported the fact that the Chinese were crossing the Yalu, it was tactical intelligence to all levels of command in Korea, but strategic intelligence to Tokyo and Washington. On the other hand, knowledge of a new surface-to-air missile in country X is strategic intelligence to national planners but it is tactical intelligence to any air unit which may operate in the area.

It is extremely important to get this matter straight. If we don't, we will continue to have expensive bureaucratic squabbles about intelligence resources, based on spurious arguments about control echelons. Commands will jealously guard intelligence resources on the grounds of "tactical" intelligence requirements and Washington intelligence agencies will fail to see that their refined "strategic" collection systems are producing a great deal of tactical intelligence, neglecting the need for quick dissemination to the commands.

The definitional dilemma is compounded somewhat by tactical decisions that are often made in Washington. This fact of military life today means that military intelligence organizations in Washington find themselves hip-deep in the tactical intelligence business, traditionally the purview of commanders in the field. Further, there is the unfortunate tendency among intelligence producers and users to associate the term "strategic" exclusively with intercontinental nuclear-strike matters. For instance, you would find few intelligence officers in the targeting business who would not consider their product "strategic" intelligence. In fact, it is not; it is essentially tactical intelligence stored up against the contingency of executing the SIOP (Single Integrated Operational Plan).

The general conceptual confusion between tactical and strategic intelligence is jeopardizing the commanders' control of their intelligence assets. But a more serious intelligence problem, in my view, is the danger of the military profession as a whole losing the function of defining the military threat for the national leadership. The basic problem is one of confidence in the military intelligence product within the services, the Department of Defense and the other departments of government.

The intelligence products of greatest impact in the national decision-making arena are the estimates. These contain the intelligence which most heavily influences strategic decisions. They are usually predictive in nature, pulling together basic order-of-battle, technical, doctrinal, economic and political intelligence to describe overall military postures of foreign powers. The estimates project military threats from the present out two, five and ten years. Military planners are heavily dependent on these estimates in force structuring, force development and weapons development.

It is in this area that we military professionals have been in danger of losing our shirts to civilian agencies. To put it bluntly, there is a considerable body of opinion among decision-makers, in and out of the DOD, which regards threat estimates prepared by the military as being self-serving, budget-oriented and generally inflated. This gives rise to a tendency to turn to some other source for "objective" threat assessments. The suspicion exists not only with regard to broad strategic estimates—for example, trends in the manned bomber threat—but to such detailed military estimates as the ability of the Soviet field army to sustain itself in the field under various assumed levels of combat. The trend toward independent analysis has been gathering over the past ten years and there are now analytical staffs in the civilian intelligence community paralleling those of the Defense Intelligence Agency (DIA) on almost every military intelligence subject.

The responsibility for this situation to a large degree rests with the military side of the house, not with the civilian agencies. The lack of confidence in the threat estimates emanating from military intelligence agencies which caused users to request outside opinion in the early 1960s, is fully understandable. It stemmed from a series of bad overestimates, later dubbed "bomber gap," "missile gap," and "megaton gap." These and other seriously inflated estimates of less notoriety have hung like albatrosses around the necks of military intelligence officers ever since.

In its first several years of existence, DIA was plagued by the prevalent notion, even in the DOD staff, that the agency could not be counted upon for an objective threat assessment. This suspicion was reinforced by the fact that

DIA did not perform well in the estimating area. The agency was harried by a combination of birth pains and the burgeoning demands for essentially tactical intelligence in support of Washington-level decisions on the Vietnam war. The estimates function simply muddled along until the Agency was reorganized in 1970 by Gen. Donald V. Bennett, USA. Meanwhile, planners and decision-makers had become accustomed to going elsewhere for their threat estimates.

At first blush, it would appear that the blame for this situation can be laid at the feet of intelligence officers—first in armed services intelligence agencies and then in DIA. But this is too simple; the military intelligence user must take his lumps as well. Too often the user has not been content with an objective judgment from his intelligence officer—he has wanted the answer that “supports the program.” While planner pressure on intelligence estimates is not nearly as blatant or widespread as some quarters would contend, there has been enough of it to make it tough to regain full confidence in the military intelligence effort.

In the service staffs the fact that the position of the intelligence chief is a notch under the other key staff chiefs almost invites planner pressures on intelligence. It takes a pretty toughminded assistant chief of staff for intelligence to defend an estimate that runs counter to the well-laid plans of the rest of the general staff. In some ways, planner pressure is worse when it arises in the joint staff arena. Planners of all services “coordinating” an intelligence estimate are quite capable of reducing it to lowest common denominator mush. There are still some “old hands” in intelligence who are so inured to yielding before user pressures that they automatically produce threat estimates designed to please, or at least certain not to offend. These types are getting fewer, but they still exist.

When intelligence yields to consumer pressure, it cannot remain credible. When intelligence estimates are reduced to bland judgments acceptable to all planners, it is difficult to justify the expensive outlay of resources to collect intelligence. Such inoffensive pap can be produced without evidence.

Fortunately, the somewhat dismal picture outlined above has brightened measurably over the past few years. The stature of intelligence estimates produced by the military has increased considerably and the accusations of bias have abated. Several factors account for this: DIA pulled up its socks and put proper emphasis on the estimates job; a new crop of more professional, less conformist intelligence officers is available for estimating work and, most important, there is a new appreciation of the intelligence function among our military customers.

The Defense Intelligence Agency was reorganized in November, 1970. One of the key changes was the establishment of a separate directorate charged with the production of defense intelligence estimates. One of the prime reasons for this move was the fact that there was, practically speaking, no way to discover the views of the DIA director on important estimative matters. DIA views were submerged in the text of national estimates (NIE's) prepared at the Central Intelligence Agency (CIA) and coordinated with all Washington intelligence agencies, or in the text of joint estimates which were coordinated with the service planners. The only exception to this rule was the rare dissent to a national estimate when a specific view of the DIA director was noted at the bottom of the page. DIA's institutional anonymity was, in large part, a product of the original service objections to the creation of the agency. “Running with the pack” was the one way to avoid collision with the individual services. It was bureaucratically much safer to have any substantive argument be between a service and the “intelligence community” than between a service and DIA. The trouble was that this attitude put civilian agencies in the position of final arbiters of any disagreements inside DOD on threat definition.

The new DIA directorate for estimates permitted proper attention to the estimating function. Under the old setup, the estimates job was under the directorate for production, which was also charged with answering the daily intelligence mail. The heavy demand for current intelligence on Vietnam, the Middle East and other crisis areas was too urgent and too time consuming to permit much effort on the more scholarly problem of estimates. The new directorate created an adversary process on substantive issues *within* DIA. The estimators, who must defend DIA views in the DOD and national intelligence arena, frequently challenge the results of analysis from the other DIA directorates. This necessary friction causes key intelligence judgments to be thoroughly scrubbed internally, ensuring that DIA won't find itself out on a limb defending a weak argument of some single analyst, a situation which prevailed all too often under the old setup.

The new crop of analysts and estimators available to both the service intelligence offices and to DIA are indispensable to a new effort to regain respectability for military threat estimates. Intelligence specialist programs within the services—and here the Army must be singled out as having the most effective program—are paying off in the form of real professionals capable of making objective assessments of the evidence on hand and defending the intelligence product among their fellow officers. On the civilian side, the new generation of analysts who have entered DIA are not afflicted with an overriding defensive attitude about service intelligence opinions. Many of the old hands used to react with arguments about the DIA "charter," rather than counter differing intelligence views with good substantive analysis.

In the long run, however, the most telling factor in the improvement of military intelligence estimates is the increasing awareness among consumers that the only useful intelligence is objective intelligence. There was a time when the rule-of-thumb for acceptability of threat estimates among planners was "the bigger, the better." Intelligence estimates which failed to maximize enemy threats in both sum and detail were likely to draw fire as "wishful thinking." More often than not, military intelligence people came to heel under such criticism and stumped hard for the "worst-case" view. These old attitudes are waning now and simplistic demands for the scariest possible threat estimates are much less prevalent among users. Some hard lessons have been learned.

Military planners have seen some unfortunate results of inflated estimates over the past several years. With regard to Vietnam, it became painfully obvious that "worst-case" assessments of enemy capabilities by Washington estimators gave the erroneous impression that the more casualties we inflicted on the Viet Cong and North Vietnamese, the stronger they got. When theater intelligence tried to offset this by stressing the evidence of the telling effects of Allied operations on the enemy, the effort was branded as a lot of unwarranted, policy-oriented optimism. In February, 1968, the communists corroborated the estimate that they were in desperate straits by launching the militarily disastrous Tet offensive. That fact was overlooked by almost everyone, however, most preferring to believe the new gloomy estimates (later proved grossly overstated) that the VC, although defeated near the cities, had "taken over the countryside."

Many Pentagon planners have also learned that "worst-case" estimates can be used to squelch military programs just as easily as to support them. A proposed program can be made to look like a total waste if its opponents are given free rein to postulate the size and sophistication of future threats to the system. Overestimates of future Soviet strategic missile capabilities killed the U.S. counterforce strategy at least four years before the strategy became invalidated by real Soviet capabilities.

The advent of arms limitation agreements sharply underscored some additional problems of inflated intelligence estimates. The "horse-trading" aspect of these negotiations raises the very real possibility of trading off actual friendly capabilities for enemy "capabilities" existing only on paper in our own intelligence estimates.

These examples lead to another important point that is beginning to be understood in military planner circles: Estimates of future enemy forces and hardware are by nature estimates of *intent*—not just of *capability*. The old arguments about "capability versus intent" are heard less now in DOD. It remains true that intelligence should emphasize capability in descriptions of current and near-future enemy forces. But the minute you tackle the usual problem of estimating enemy forces (or hardware) a year or so into the future, you have entered the realm of intent. For example, since World War II the Soviets have never, to our knowledge, deployed forces or fielded hardware as fast as their total capability permitted. To estimate that they would do so with regard to some weapon system or type of force in the future would make little sense. Indeed, all estimates of future Soviet forces derive from an attempt to discern what part of their total capability the Soviets *intend* to use in military programs and which programs they *intend* to emphasize. This is not a very difficult-to-fathom verity of intelligence estimating. It is remarkable how long it has taken some of our military users to wise up to it.

While not all users of intelligence in DOD have learned the pitfalls of trying to make intelligence "fit the program," most have. Today there is a much improved market for objective intelligence judgments and this is a most hopeful sign in the field of military intelligence. When we get to the point where the strategic intelligence officer knows that his prime customers are going to raise the same

amount of hell about overstatement as about understatement of threats, the objectivity of intelligence estimates will be almost automatic.

Objective intelligence is a goal to be devoutly pursued by the entire military profession. However, an important word of caution is in order: An objective intelligence judgment is not necessarily a valid judgment. Validity depends on the evidence available to the intelligence people and the quality of the analysis applied to that evidence. Any planner or decision-maker not convinced that there is good evidence and good analysis behind an intelligence judgment should feel perfectly free to reject it. And the intelligence officer should not get his nose out of joint if his product is not always accepted as gospel. However, the user cannot insist that the intelligence officer recant and change his best judgment. If he does this, he corrupts the whole system.

To sum up, I think that the time is ripe for the military profession to reassert its traditional role in the function of describing military threats to national security. Both the military user and the military producer of strategic intelligence have come a long way since the "missile-gap" days. DIA has hit its stride in the production of respectable military estimates. While there will always be a legitimate reason for independent judgments from outside DOD on issues of critical importance to national decision-makers, there is no longer a need, in my judgment, to duplicate DIA's efforts in other agencies. The best assist the Army can give to such an effort is to insist on objective strategic intelligence, cooperate with DIA in producing it, and put good officers in the strategic intelligence field.

Senator SYMINGTON. This article said in part:

If the military profession loses its role in describing these threats to national security, it surrenders much of its influence in decisions about military strategy, military force structure and the nature of its own armaments. We have in the past 10 years come perilously close to losing this vital role. The impact of the intelligence views of the Department of Defense was progressively weakened between 1960 and 1970 and the voice of civilian agencies in all facets of military intelligence became progressively more dominant. The military budgets carried the onus of heavy outlays for intelligence collection, but the key intelligence judgments derived from this costly effort were for the most part made in other agencies.

Now, I was involved in the creation of the National Security Council, and doubt there are many here who remember the name of the first Director of the CIA. The Agency was created as much by the thinking of Secretary Forrestal as anybody, because, although he was all for the military, he realized there must be some brake on the demands of the various services for the various new weapons systems being proposed by various people.

When I read that the general who made these statements was going over to the Central Intelligence Agency, I called up the Director of the Central Intelligence Agency and asked if he knew about this speech. He asked, "Have you read the speech?" I said, no, just the record. And he said, if you read the speech, I do not think you would feel that way about it.

So I read the speech and then wrote the then Director of the CIA, the Honorable James R. Schlesinger :

Dear Jim, as you can see by the attached, I have read the article in detail and have extracted certain statements made hopefully not out of context. At the end of the article as presented he states, and I quote, "there is no longer a need in my judgment to duplicate DIA's efforts in other agencies."

As you know, the Defense Intelligence Agency is part of the military setup.

Especially in that this article, and the fact that he is going to work for you in the Central Intelligence Agency have created much comment down here. I would hope we would get together soon re same. Sincerely.

Then I added a long-hand note, "Specifically where does this leave the CIA?" The second paragraph is what I just read to you.

This letter was dated April 13, 1973. A few days or weeks later Mr. Schlesinger became the Secretary of Defense. One of the first

things he did was to take General Graham back into the Pentagon and make him the Director of the DIA. To me that was questionable based on what the man had written.

What I am getting at is this. You will feel entirely independent of anybody, use your own mind, based on your own experience, when you analyze what this country needs for its national security as against your estimate of the threat.

Mr. BUSH. Yes, sir.

Senator SYMINGTON. I am very pleased to hear you take that position. Knowing you and your family for many years, I accept every statement you have made today as accurate. I believe you are well qualified for the position. If you will stick to your guns, as you have said you would do this morning, I see no reason why you cannot have outstanding success in this position.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much.

Senator Tower, did you have any questions?

Senator TOWER. No; I defer—

The CHAIRMAN. Senator Goldwater?

Senator GOLDWATER. I do not have any questions, but because there is a strong possibility that you might be asked about Vice Presidential intentions by one member who is a candidate and another one who might be, I thought it might help if one who has been around that track, made a few comments on it. I agree completely with your statement. You say, "I don't think any American should be asked to say he would not accept."

And I do not think any American would. I do not mind telling you that I recommended that you be Vice President to Mr. Nixon and again to Mr. Ford. To your advantage they saw differently than I did.

Now, Vice Presidents are not selected in the committee room of the armed services. Maybe the way we do it is not the way it should be done. I do not think it is. It may not be the best, but usually some hotel room is the meeting place and I remember in 1956 when Mr. Nixon was picked in a hotel room in Chicago. Then in 1960 another hotel when Mr. Lodge was picked.

In my case I have forgotten whether it was my room in a hotel or somebody else's room, but I called on the Members of the Congress and asked who they would like me to name as Vice President and they gave me the name of Bill Miller.

In 1968 in a hotel room in Florida, the Fontainebleau, I believe it was—

Senator TOWER. The Hilton.

Senator GOLDWATER. I don't remember where it was. I was so many years ago.

From about 1 o'clock in the morning to about 5 o'clock in the morning we met with Mr. Nixon and he finally said, could you live with Mr. Agnew? So that is the way this job is going to be chosen and it is not going to be done here. I hope none of our members bedevil you about whether you will or will not because you might ask them the question who asked you to run for President. That would be a good point. Do not ask me.

I just want to tell you, George, it is a real pleasure to have you here. I know Senator Symington, your father and I all started service

in the Senate at the same time, and you follow all the fine traditions of your father. The only mistake you have ever made was moving to Texas. [Laughter.]

The CHAIRMAN. All right. Thank you, Senator Goldwater.
Senator McIntyre?

Senator McIntyre. Thank you, Mr. Chairman.

Ambassador Bush, the key issue is, of course, the political background that you have already achieved, and it appears to me that there are several ways to approach the issue. You have stressed that your political background should be considered as an asset, especially when contrasted or measured against the performance of some CIA career men. I have to admit this position does have some appeal. But there is another strong and reasonable position that says that no one with your political background and past should be considered. That argument goes on to say that the FBI and the CIA are two posts in Washington that have to be considered differently than Cabinet posts.

Those positions, like the Supreme Court, should be insulated completely from politics and—if one agrees with this opinion—then no matter how qualified you may be, you are disqualified because of your background.

There is another position, too, and that is that a politician should not be automatically disqualified if he possesses the other necessary qualities. And certainly, Mr. Ambassador, it would be beneficial to have someone who is sensitive to the public and who understands the concepts of accountability to the people.

However, is it appropriate to have someone with a clear political background at this time in the history of the CIA? Public confidence in the CIA must be at a low point now after Watergate and the revelations of political abuses in past administrations.

Now, as a firm believer in the importance of the CIA and the necessity of its legitimate functions, I do not want to see the agency further weakened by the appointment of a person who is perceived, whether rightly or wrongly, by the public as a political person.

Thus, at this particular time in the history of the CIA, this is the question that concerns me: Is it appropriate to appoint someone like you? I would appreciate your reaction to this middle position, this third position, that you should not be disqualified if you have the other qualifications, but at this time in history, what are the public perceptions going to be?

Mr. Busut. Senator McIntyre, it is my view that there should be one criterion. I am not trying to tell you how to run your business, but I think there should be one criterion. If you accept that my foreign affairs background has been conducted without political favor, and if you accept the premise that it does not hurt to have been involved in politics, not wholly partisan but so you have a feeling for the people, then it seems to me that I think if I tried to put myself in your shoes that I would not be concerned about appearance or what editorials say.

But does this man have the character? Does he have the integrity to do this job? And if you have a reservation in your mind about that, I would understand your voting it down right now; but if you do not, I would find it difficult for you to say, George, you are qualified,

you have the political feel, but you are disqualified because other people will not think it is all right.

So that would be my answer to that question, sir, and I hope you find I do have it and I hope you find that in two rather sensitive jobs—the minute I walked into them, politics was put behind me. You take that United Nations mission—104 people—I do not think you will find any one of them saying I did anything to politicize. I hate sitting here blowing my own horn but what I did was lift the morale in the place and although there were understandable reservations about my qualifications when I went there, I think some of your colleagues that served with me and the others would say that I did a good job.

So I would hope you would put emphasis on my ability to do it because I understand there is this "appearance." I just do not think this committee should knuckle under to appearance if indeed I have the qualifications.

So I would ask to be judged on my integrity and character as opposed to how somebody else might view a job.

Senator McINTYRE. Let me ask you one very mean question that I would not have thought of asking of a similar appointee 5 years ago. But in view of history, let me ask you this question.

You said you were riding a bicycle in Peking when you suddenly got word of this appointment. You did not seek this appointment. I know you told me that you felt that if the President wanted you to take this vital position, that your sense of duty to the country and to the President was paramount and you accepted it.

Now, let us assume you are appointed. Let us assume we are moving 3 or 4 months down the campaign trail. You are not going to be impervious to that fact. You are going to read the papers, I know.

What if you get a call from the President next July or August, saying "George, I would like to see you." You go in the White House. He takes you over in the corner and he says, "look, things are not going too well in my campaign. This Reagan is gaining on me all the time. Now, he is a movie star of some renown and has traveled with the fast set. He was a Hollywood star. I want you to get any dirt you can on this guy because I need it."

Now, what are you going to do in that situation? What can you do and where would you go?

Mr. BUSII. I do not think that is difficult, sir. I would simply say that it gets back to character and it gets back to integrity; and furthermore, I cannot conceive of the incumbent doing that sort of thing. But if I were put into that kind of position where you had a clear moral issue, I would simply say "no," because you see I think, and maybe—I have the advantages as everyone on this committee of 20-20 hindsight, that this agency must stay in the foreign intelligence business and must not harass American citizens, like in Operation Chaos, and that these kinds of things have no business in the foreign intelligence business. Under my leadership they will not have, and so that causes me no problem whatsoever because, as I have said, and I really believe I am putting politics behind me on this. Again we get back, Senator McIntyre, to my being able or not able to convince you of that.

That is the main thing. And then if I can convince you, then you should no longer be troubled by that kind of question—I understand your raising it but I think if I have the integrity you should not be troubled by the question.

Senator McINTYRE. But your answer is that you would say no, Mr. President.

Mr. BUSH. That I would----

Senator McINTYRE. That is it.

Mr. BUSH. I would say no, Mr. President. Yes, sir.

Senator McINTYRE. I think somehow, Mr. Chairman, the law should require that when the CIA Director is asked to do something like that he should report it to the U.S. Senate. As you may know, in almost the same fashion this was done and the CIA Deputy Director agreed with the telephone call because he said he knew it was the President of the United States talking. That is why I asked the miserable question.

I cannot conceive that you would do it.

Mr. BUSH. Yes, sir.

Senator McINTYRE. I talked to one of the former CIA Directors just recently, and he said, "Tom, I had no place to go."

I do not know how true that is, but he said so.

Thank you very much. I will give you every consideration.

The CHAIRMAN. Thank you very much, Senator McIntyre.

Senator Bartlett, you are next.

Senator BARTLETT. Mr. Chairman, thank you.

There has been a lot of talk about different approaches and vehicles to be established—oversight capabilities over the CIA. How would you welcome much closer oversight as a means that you meet your goals and do a better job?

Mr. BUSH. Senator Bartlett, my view on that matter is, that is a matter for the Senate to determine, whatever the oversight responsibilities should be. One of the recommendations of the Rockefeller Commission was some kind of a joint committee and all I can tell you is that I will closely cooperate with whatever authority is set up for the Senate, the House, but I have no hesitancy in saying that I will fully cooperate. I am sure there will be times, very frankly, when there could be differences as to what may be disclosed, but I will cooperate to the best of my ability with whatever oversight authorities are in existence now and with whatever oversight authorities the Congress decides on for the future.

Senator BARTLETT. What I was getting at, with your background in Congress, do you feel it would be helpful in achieving the goals of CIA to have committees better informed than they have been in the past on a continuing basis?

Mr. BUSH. I do, sir. And I would approach my job in that manner.

Senator BARTLETT. Mr. Ambassador, you mentioned on page 5 of your statement:

Many of our friends around the world and some who are not so friendly are wondering what we are doing to ourselves as a nation as they see attacks on the CIA.

Where do you think the line should be drawn in the investigations presently going on?

Mr. BUSH. Well, it is a very hard question because I have been gone and have not watched all the details. Certainly I have no problems

with the congressional investigations per se. This is the prerogative of the Senate. It is the prerogative of the House. They ought to do it.

I was somewhat alarmed when I turned on a television program the other night and saw some individual on a British program wantonly disclosing names of corporations that had cooperated with the CIA. I do not find that useful to our security and intelligence or anything else. I have no detailed knowledge of what these organizations do. I just do not have that. I have not been briefed on that. But I just have the feeling that there is something wrong when you pick up Playboy magazine and read—which I do not do very often, Senator Bartlett. [Laughter.]

And read a detailed exposé naming names of CIA agents which could endanger their families, possibly. But I do not like that. I think those kinds of things confuse our friends and delight those not so friendly who would like to know a great deal more about our intelligence.

So in this statement I just wanted to get it out there. There are some people that feel differently about it. I think you need a balance between disclosure to the public and what I would consider wanton disclosure that does not work in the interests of the United States.

Senator BARTLETT. Mr. Ambassador, I would like to say I applaud what you have said about the comments that have been made in your direction concerning your chairmanship of the Republican Party and your being a politician. I think there can be real hypocrisy involved in such attacks.

I think that politicians are like any other professional or other people, they can be good or bad or in the middle. I think a person should be judged on his own character and his own abilities and he could have been or could not have been a politician and meet the test.

I really applaud you on that because I think that we could not have people who wanted to serve in whatever capacity they might be asked, or they wanted to be available to do their best and be unable to do it because of some experiences in the past that were perfectly fine and honorable but were so-called political. So I commend you very much.

Mr. BUSH. Thank you.

Senator BARTLETT. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Bartlett.

Senator Byrd?

Senator BYRD. Thank you, Mr. Chairman.

Mr. Bush, we know each other and have had an opportunity to talk and know each other's views. I think it is very important that our country have a strong intelligence agency. We are spending \$90 billion on defense. Most of the Members of the Congress feel that is necessary. And indeed it is in my judgment. I also feel that a strong intelligence agency is a very important part of the defense mechanism and I know from talking with you that this is your view as well, as you have enunciated it here today.

I think it is vitally important also that the CIA be completely divorced from partisan politics, and in reading and hearing your statement this morning, it seems to me you have gone about as far as a person can go in that regard. In your statement you say, "I recognize the need to leave politics the minute I take on the new job if confirmed."

And you also say, "If confirmed, I will take no part, directly or indirectly, in any partisan political activity of any kind."

And then on the next page you say, "I will put politics totally out of my sphere of activities."

So you have gone very far in your statement in that regard.

I have one question which is along the line of Senator McIntyre's, but it is a somewhat broader one, I suppose. I assume that if confirmed, you would not permit the CIA to be used by any individual or any group for partisan political purposes.

Mr. BUSH. That is correct, sir.

Senator BYRD. Mr. Chairman, I think the nominee has the judgment, that he has the ability, and that he has the character to assume this very important position. I was concerned when it was first announced because of the political aspects. But in thinking about it further, I am convinced that—George Bush being the type of man that I know him to be—I need no longer have that concern. I think the chairman brought out a very good point. If a person did have political ambitions, this is about the worst place possible to use as a stepping stone.

Be that as it may, I have no longer any concern about the nominee's position on these matters, and I shall be glad to support the nomination.

The CHAIRMAN. Thank you, Senator Byrd.

Senator HART?

Senator HART. Thank you, Mr. Chairman.

Mr. Ambassador, along with Senators Tower and Goldwater, I have worked for the last 10½ months on the select committee looking into the intelligence community. Those of us who have been involved in that experience feel strongly not just about this confirmation but about the future of the intelligence structure of this country.

You have said, and I think it is admirable, that "things were done that were outrageous and morally offensive. These must not be repeated and I will take every step possible to see that they are not."

I would like to probe a little about what steps you would take to see that they are not.

You have talked, and I think rightly so, about political insulation but primarily along the lines of insulating the agency from your own political background. I am more concerned about insulating you from the rest of the political process, particularly in the White House. What those of us on the committee have found out is that sometimes the agency was off on its own, but just as often it was operating under the direction of political figures of various administrations in both parties.

What steps would you take to insulate yourself from the desires of a President to promote his own political purposes or to conduct some operation abroad that in your judgment was not in this country's interests?

Mr. BUSH. Senator, I do not know how one insulates oneself from the wishes of somebody else. I mean I do not—if one has access he is—this is going to be nitpicking here but it is hard to insulate oneself from the wishes.

In terms of the execution of something I think is wrong I would clearly—and it gets tough because the President has certain rights and certain responsibilities over the intelligence community and certainly over the Defense Intelligence Agency where he is Commander-in-Chief of the Armed Forces, but again I would not try to insulate myself from the President per se as an answer to the question. I would

insist that to the degree it was possible, given the timeliness of whatever the situation was, that the proper bodies of the National Security Council, have the right to act on these matters.

I think we need to study it. There is a wide range of committees in the intelligence community, some of which I am familiar with, many of which I am not, and I think there are all kinds of ways to be sure that what you do in the final analysis is properly recommended. But once it was recommended and you get down to a moral question that you disagree with, you in the final analysis after urging reconsideration or saying I want 24 hours to present the views of the intelligence community or the CIA or whatever it is, in the final analysis you have only one remedy. I think we both know what that is. That is to get out.

Senator HART. There is another one. That is to let the President know where you stand on some of these things before you go into office. There is no doubt in his mind how far you are willing to let the CIA go.

Mr. BUSH. I accept that, sir; yes, sir.

Senator HART. Let us probe what you feel to be morally offensive and outrageous. How do you feel about assassinations?

Mr. BUSH. I find them morally offensive and I am pleased the President has made that position very, very clear to the Intelligence Committee and I think also Director Colby who I think knows about this, I know he feels—

The CHAIRMAN. Excuse me. What was your question?

Senator HART. The question was whether a Director of the CIA can insulate himself from wrong political pressures by letting the President know the bounds beyond which he will not go as director—before he takes office.

The CHAIRMAN. Yes.

Mr. BUSH. I accept that. I think it is an excellent suggestion and I would be prepared to do it. I think in matters that did come up violating the rights of citizens in this country, I think if I continue to emphasize we are talking about foreign intelligence, that will help. There are some legitimate things that must be done domestically by the CIA, in its own security, for example, but emphasizing foreign intelligence could help with the problem that understandably troubles the citizens in this country.

Senator HART. I want to get to that, but let me pursue some of the foreign techniques. What about supporting and promoting military coups d'etat in various countries around the world?

Mr. BUSH. You mean in the covert field?

Senator HART. Yes.

Mr. BUSH. I would want to have full benefit of all the intelligence. I would want to have full benefit of how these matters were taking place but I cannot tell you, and I do not think I should, that there would never be any support for a coup d'etat; in other words, I cannot tell you I cannot conceive of a situation where I would not support such action.

Senator HART. What about supporting the overthrow of a government that was constitutionally elected?

Mr. BUSH. I think we should tread very carefully on governments that are constitutionally elected. That is what we are trying to encourage around the world and I feel strongly about that.

Senator HART. What about paramilitary operations, providing funds and arms to establish a government that we wanted?

Mr. BUSH. I can see certain circumstances where that would be in the best interests of the United States, the best interests of our allies, the best interests of the free world.

Senator HART. How about providing money for political parties and candidates in various countries?

Mr. BUSH. I have a little more difficulty with that one but, again, without having the benefit of the facts and what the situation is surrounding it, I would not make a clear and definitive statement whether that ever or never should be done.

Senator HART. You raised the question of getting the CIA out of domestic areas totally. Let us hypothesize a situation where a President has stepped over the bounds. Let us say the FBI is investigating some people who are involved, and they go right to the White House. There is some possible CIA interest. The President calls you and says, I want you as Director of the CIA to call the Director of the FBI to tell him to call off this operation because it may jeopardize some CIA activities.

Mr. BUSH. Well, generally speaking, and I think you are hypothesizing a case without spelling it out in enough detail to know if there is any real legitimate foreign intelligence aspect, but generally speaking the CIA should butt out of the domestic business and it certainly ought not to be a domestic police force and it certainly ought not to be involved in investigations domestically of this kind of thing.

Senator HART. That is the easy side.

Mr. BUSH. Well, it is not—

Senator HART. I am hypothesizing a case that actually happened in June 1972. There might have been some tangential CIA interest in something in Mexico. Funds were laundered and so forth.

Mr. BUSH. Using a 50-50 hindsight on that case, I hope I would have said the CIA is not going to get involved in that if we are talking about the same one.

Senator HART. We are.

Senator LEAHY. Are there others?

Senator HART. There has been a doctrine operating between the political structure and the intelligence community for many years called plausible deniability. It is letting the President know just enough about what is going on, but not enough so that when the question is asked, "Did you know this was going on?" he has some grounds for denying that he knew.

How do you feel about that, particularly where major covert operations were involved?

Mr. BUSH. I think the President should be fully involved and though I understand the need for plausible deniability, I think it is extremely difficult. I just do not think a President should be shielded when you are dealing with something this important, from the totality of the information. That is my own view on it.

Senator HART. Now, Senator Symington pointed out that too few people in this country are aware that the Director of Central Intelligence controls only about 15 or 20 percent of the intelligence budget. Eighty percent of that is under the control of the Secretary of Defense.

Do you have any recommendations or thoughts on how one operates

as the Director of the entire intelligence community and yet does not control the vast bulk of their budget?

Mr. BUSH. No. I will welcome the recommendations from your committee or welcome the recommendations of the Pike committee. I will welcome the recommendations that are being prepared as I understand it in the White House now. I have been here a week and I have no firm judgment on how that should be done. I would make a general statement, though, that if it is determined by these recommendations that the Director should have the authority, it seems to me that the best way to have the responsibility is to have something to say about the funds; and so I think in that area you might find the answer. But, again look at and study, before I took a personal position, the views of the various committees that are studying these matters. They have been on it for several months and I have been back here 1 week, and I would be presumptuous, I think, to say these are my final views.

On separating the Director of Central Intelligence from his CIA responsibilities, I have some general feelings on it. One is the Director of Central Intelligence needs some kind of a base. He has one now in CIA and I am not enthralled with the concept that everybody has his empire and you are just floating around EOB someplace. That is a generalized concept, but if you are going to have the responsibility, you ought to have some muscle, some authority, to do something about it with.

So I would hope whatever your committee recommends and whatever others recommend they do not set up some Director of Central Intelligence and then not give him the tools to enforce these coordinated activities through budgetary control.

That is very general, Senator Hart, but I do not—

Senator HART. But I think what you are saying—

Mr. BUSH. I have no recommendations yet.

Senator HART. You would be willing to go to the mat with the Secretary of Defense to get a little more authority over how that 80 percent of the intelligence budget is spent.

Mr. BUSH. The answer is yes, sir, but particularly if you are supposed to have the responsibility for it, I think you must do that, and I think I would be in a position to—I would not say have equal standing because those are Cabinet positions, both State and Defense, with policymaking functions. This is not, as I conceive it, and I think it is properly conceived as defined in the statute, a policy job; but I can see situations where I would want to forcefully present the views of the intelligence community even though they might be on a different direction from existing policy, and let somebody else make the policy, but get those views in there.

Senator HART. How is my time, Mr. Chairman?

The CHAIRMAN. You have run over.

Senator HART. I had some other questions, but let me just make one observation that I made to you when we visited in my office briefly, and that is—leaving aside your qualifications, background, integrity, and ability to convince us you will not politicize nor permit the CIA to be politicized despite your political background—there is still a separate question all of us have to acknowledge. This is the precedent

established by this kind of appointment. Despite your qualifications, it is a step in the direction that troubles many of us, but it does not reflect on your personally one iota.

Mr. BUSH. May I respond to that, Mr. Chairman?

The CHAIRMAN. Yes; but make it as brief as you reasonably can. Mr. Leahy has been waiting.

Mr. BUSH. Senator Hart, I would simply appeal that you not make judgments on your vote based on outside appearances, editorials, fear of whether somebody is going to say a "politician," which I do not think is a bad word there. I think it should be made on the basis of qualifications and integrity and how it is going to be viewed a year from now, 2 years from now, 3 years from now, and that is what I appeal to you to do in determining whether I am fit to take this job.

Senator HART. Mr. Bush, I do not make my judgments based on editorials.

Mr. BUSH. Yes.

The CHAIRMAN. Senator Leahy.

Senator LEAHY. Thank you, Mr. Chairman.

Mr. Ambassador, earlier in a statement made by Senator Stennis as chairman of this committee, he said that he would question your judgment if you were using the CIA as a steppingstone to the Vice-Presidency. I might add that I would question your sanity if you were going to use the CIA as a steppingstone to the Vice-Presidency. I cannot imagine any worse way today to get into that. But I would like to go into a couple of areas.

Mr. BUSH. Yes, sir.

Senator LEAHY. Senator Hart has asked you about political assassinations and absent, I would assume—we will not get the question too muddy—absent a declaration of war in a particular area, do I understand your answer to be that you are totally opposed?

Mr. BUSH. Yes, sir.

Senator LEAHY. To political assassinations?

Mr. BUSH. I understand a directive has gone out on that. We would not need it as far as I am concerned. I do indeed. It is appalling to me.

The CHAIRMAN. Mr. Bush, excuse me a minute. Use your microphone please.

Mr. BUSH. I am opposed to political assassinations and—

Senator LEAHY. I understand there is a directive from President Ford on that. Suppose you were serving under another President and such a request was made of you as CIA Director. What would you do?

Mr. BUSH. I would—I feel strongly enough about that one—you have precluded wartime—to say that would be the place where I got off or he changed his mind, one.

Senator LEAHY. Let me follow up on a question asked by Senator McIntyre. Besides resigning, would you feel strongly enough about that to report it to the proper oversight committees? For example, in the Senate, the Armed Services Committee?

Mr. BUSH. On that matter, yes, sir.

Senator LEAHY. Then let me ask you—

Mr. BUSH. Can I elaborate once more? I can see situations where I might resign.

Senator LEAHY. Certainly.

Mr. BUSH. Over something that I conceived to be a real moral problem but where the Chief—where the President had the legal right to go through with it where I would not do that or I might quietly fade away without calling a press conference or without making a scene—but I would always faithfully try to testify before the appropriate oversight committees of the U.S. Congress.

Senator LEAHY. I am concerned over what is the best way for Congress to carry on this oversight function. For example, can the Congress carry on its oversight function if it has full control and debate over the CIA budget or should they—

Mr. BUSH. I think the proper investigative bodies of Congress, I mean the proper oversight committees, should be informed on the budget but I would oppose making the CIA budget public.

Senator LEAHY. I am concerned—I recall once in a debate in this committee, and without giving out any secrets, having a whole series of little items, \$5 million and \$10 million, and so forth, until we got down to the bottom item of several hundred million dollars put in there for miscellaneous use. Coming from a small state, that seemed to be a lot of money, and I wondered exactly what it was. I am wondering how we can carry out this oversight.

Mr. Ambassador, do you feel the Congress has done an adequate job of carrying out its oversight function of the CIA during, say, the past 4 or 5 years?

Mr. BUSH. I think many individuals in the Senate that I have talked to feel that it has not and I would be inclined to go along with that. But I again do not have all the evidence on that that has come to your committee.

Senator LEAHY. Has this committee itself, the Armed Services Committee, done an adequate job?

Mr. BUSH. I am not about to sit here criticizing the Senate Armed Services Committee, given the limited amount of information I have. Your committee has had access to a tremendous amount of information. I have had access to none of it, and I do not know how many meetings they have had and I just simply am not going to criticize this committee because I do not know how many times you have met on this. I have not been briefed.

Senator TOWER. Would the Senator from Vermont yield for a comment from a member of the select committee on that point? Senators Hart, Goldwater, and I serve on the Senate Select Committee on Intelligence. I think it would be useful for the committee to know, at this point, that the select committee is at the moment considering various oversight options to recommend to the Senate. That is currently ongoing in the select committee and on the 20th of December the chairman of the committee, the vice chairman, and myself, will testify before the Government Operations Committee on this very matter. So it is a matter currently under consideration.

The CHAIRMAN. All right, Senator Leahy.

Senator LEAHY. The Congress has this year carried out two fairly substantial investigations of the CIA, both in the House and in the Senate. Has that hurt the CIA in your estimation?

Mr. BUSH. I have not been out there. I do not know what effect it has had on the morale of the CIA. I simply cannot answer that question. Around the world I think some do not seem to understand

our constitutional process, and so perhaps it has raised some eyebrows. I know it has in some other countries, but whether it has hurt it here, I simply cannot say. To the degree it has encouraged the outside and wanton disclosure, and my understanding since I have been back here for 6 days is that these committees have both been very responsible with classified information and I do not see how the charge can be made that in doing its constitutional duty that it has hurt.

Senator LEAHY. If the Congress had done a thorough, continuing, ongoing oversight of the CIA during the past 5 years, would these committees have been necessary?

Mr. BUSH. Probably it would not have been necessary.

Senator LEAHY. Thank you.

Mr. BUSH. On the other hand, perhaps it is timely to have a review that will make some substantive suggestions. It is my understanding that both committees are empaneled in order to suggest legislative change and it is those suggestions that I would like to see and I would certainly believe to the degree they are left for administrative decision, I would consider them very, very thoroughly because I know people have put in an awful lot of hard work on those committees.

Senator LEAHY. How would you feel about taking the oversight away from the present committees that have it and putting it into a special joint committee?

Mr. BUSH. My 4 years in the Congress taught me one thing and that is to let the Congress determine its own procedures, and I would simply bow to the will of the Congress and cooperate fully with whatever is decided by the Congress. I would cooperate.

Senator LEAHY. I am not on the Select Committee. Senator Hart, Senator Tower and Senator Goldwater are but could that be an effective way of carrying out the oversight of the CIA?

I am not lobbying for any particular method of doing it, Mr. Ambassador.

Mr. BUSH. I think it could and it is a recommendation of the Rockefeller Commission. I support that recommendation, but having said so I would, if there is some new situation that comes forward, I would be glad to consider that—I will offer my full cooperation if I am confirmed to whatever vehicle Congress decides upon.

Senator LEAHY. Mr. Ambassador, you mentioned the Rockefeller Committee which has spoken of having a Presidential Advisory Committee on Oversight. Do you support that?

Mr. BUSH. There already is a Presidential Advisory Committee—the Foreign Intelligence Advisory Board—and it would have my full cooperation, sir.

Senator LEAHY. Well, that was going to be my next question.

The Foreign Intelligence Advisory Board was first established back in the mid-50's by President Eisenhower. It was the President's board of consultants on foreign intelligence activities. I understand the name was changed in 1961 by President Kennedy to the President's Foreign Intelligence Advisory Board (PFIAB).

There have been three different charters—1956, 1961 and 1969. The contents were about the same.

This summer I had my staff look at the President's Foreign Intelligence Advisory Board. I cannot really see where it can carry out much in the way of oversight functions. They have had a relatively

small budget. They get almost all their information from the CIA, according to their staff director on foreign intelligence matters.

According to their staff people down there, they point out that their job did not include oversight and review of the CIA but rather is confined to coming up with ideas which would improve our intelligence efforts and they brought out one of them, the U-2. The Commission report on the Board said it does not exert control over the CIA. In fact, the CIA is the Board's only source of information about CIA activities.

Do you think that is really going to do an awful lot for us?

Mr. BUSH. I think that depends on what these committees come up with. If your implication is, and maybe I missed it in the question, Senator LEAHY, you said they rely on the Director of Central Intelligence or the CIA for intelligence. I would oppose yet another intelligence-gathering organization. So maybe I misread that. But I feel that the Board has a useful function.

I notice one of the recommendations in the Rockefeller Commission is that the Inspector General should report any irregularities that he finds to the President's Board and I think in those areas and perhaps others that your committee can suggest it would be good. The fact that they get their information from the existing intelligence community does not trouble me because I do not think we need another intelligence agency.

Senator LEAHY. I agree with you on the inspector general, but the Commission also found that because of the CIA's compartment—the way they have set up their compartments in there, their compartments' secrecy and all, that the inspector general never even knew of the illegal and improper activities which recently have come to light.

Would you, if you were the Director of the CIA, upgrade the staff and responsibility of the Inspector General? Would you give him access to all CIA files?

Mr. BUSH. I think I read enough on that, sir, to answer affirmatively, yes, I would.

Senator LEAHY. Would he be allowed to report directly to the appropriate congressional oversight committee if one is set up?

Mr. BUSH. I sure would want to be sitting next to him—

I do not think that you need to be able to have absolutely everybody go off freewheeling but certainly the inspector general should be made available to these committees, but I would like to know what was going on, and it is my intention if confirmed for this job to know what is going on as much as possible.

If you suggest, and I may be misreading it, that I would not know what the testimony was or I would not know what he was doing, just testifying—

Senator LEAHY. I am not suggesting that at all.

Mr. BUSH. So I would simply think, yes, he should be available. I would like to know about it.

Senator LEAHY. I am not suggesting you not know what he was talking about at all, Mr. Ambassador. I would not suggest that of any agency head of their own inspector general.

What I was concerned about is that the inspector general in many ways has far more time to look for these things than the Director does, and I want to be sure that he has such access because in the past

apparently he has not had such access and that is probably one of the reasons we are facing this problem today.

Mr. BUSH. Let me tell you why I respond that way.

In the Rockefeller report there was a suggestion that he go directly to the PFIAB. I have no problems with that. But I want to be informed. I want to know about it. And if he was saying what his suggestions were, I would like as the Director, to know about it and then also have the right to say whether I agreed or disagreed.

You have got to have a disciplined organization.

The CHAIRMAN. I am sorry Senator but your time has run over. You may ask one more question.

Senator LEAHY. I will wait until the next go-around.

The CHAIRMAN. All right.

Mr. Bush, some minutes ago on the proposition of having a request from the executive department, be it the President or someone under the President, you gave a response as to what your action would be. Would you direct your first deputy, we will say, to report directly to you any request of that nature that he might receive?

Mr. BUSH. Yes, sir; I would.

I think it is essential that the Director be informed of White House requests.

The CHAIRMAN. Yes.

Mr. BUSH. And I do not know how many they get over there. Some of them I am sure are strictly routine, but certainly as a matter of principle I think whether they come into the Counsel's office, the inspector general's office, the deputy's office, I would insist on being informed.

The CHAIRMAN. I was directing the question mainly at matters of serious importance and consequence. Would you apply that same rule, then, to your chiefs of divisions? I do not know just what term you may use in the CIA but I am thinking in terms of those who have charge of various major operations. Would you instruct them, too?

Mr. BUSH. Yes, sir.

The CHAIRMAN. It seems to me that is getting at the thing in such a way as to make the total responsibility and authority yours.

Mr. BUSH. Yes, sir. I would.

There are four deputies in addition to the—and I would do that, the same for the inspector general, the same for the General Counsel's office.

The CHAIRMAN. And to ensure that you are directing the policy on those kinds of questions—I am not hitting at any President—but to ensure that you did have that responsibility and power you would also direct any others who are in key positions to give the same reports to you.

Mr. BUSH. I would, Mr. Chairman.

The CHAIRMAN. A matter that I have been concerned with for years is the fact that you are not only Director of the CIA but you are Director of all the central intelligence community which includes operations of the DIA and others, but still you do not have the authority over them. You just have the authority over what I call the CIA proper or hard core. That money is put in another budget. It is a separate matter.

Now, if you are confirmed, I want to strongly suggest that you take the lead in trying to get a workable, practical plan, because if you are

going to have the responsibilities, you must have the authority. Did I make that clear to you?

Mr. BUSH. Yes, sir.

The CHAIRMAN. What is your response to that?

Mr. BUSH. My response, Mr. Chairman, is I hope I can find ways to implement that suggestion.

The CHAIRMAN. Yes. Some very able men have tried and have undertaken such a mission but due to the pressure of various other matters have not come up with anything very practical. You already see that problem facing you, do you not?

Mr. BUSH. I see the problem, Mr. Chairman, but I cannot in conscience tell you I see the clear answer.

The CHAIRMAN. No.

Mr. BUSH. Because I see between the Defense Intelligence Agency and CIA and others in the community, an enormous problem of co-ordination, but I can pledge to this committee I will address myself to it as best I can.

The CHAIRMAN. Yes.

It is a very delicate and sensitive matter by nature and then it is a very practical problem, too, but I think it can be handled. It just takes some cooperation between the executive branch and the legislative branch.

I have been impressed with your answers to Senator Leahy's questions, all of which were good, regarding the Inspector General. You said you would want to be with your Inspector General, or be informed. I judge that it is by no means that you would try to control what he said, or anything of that kind, but feel that since the responsibility rests on you, you would want to know and would be entitled to know, I think, what his testimony was or what he was saying. Is that correct?

Mr. BUSH. That was my point, Senator.

The CHAIRMAN. Well, I have always advocated keeping the power where the responsibility is and keeping the responsibility where the power is. I said earlier in a brief opening statement that through these hearings we can emphasize the absolute necessity of a clear consciousness on the part of the Chief Executive of the Nation of this special power that is vested in him under the act and of the care and personal attention the President must give through this exceptional power and also to the individual that he selects to act for him.

Quoting further I said "I hope these hearings will emphasize that point." I think the hearings have emphasized that point to you, to the public, and to the President, in the questions that came from Members other than me, and my time has expired. As I see it, it is an obligation that you owe to the President especially, to keep him directly advised of the enormous duties.

I believe it is almost beyond human comprehension, the ability the President must have to reach his obligations. But this is a special law and operates in a special way. It is not within the pattern of other agencies as I see it, and the President is going to need your help as well as you need him. So you are conscious of your obligation in that way.

Mr. BUSH. Yes, sir; I am, Mr. Chairman.

The CHAIRMAN. Not trying to protect him from things but to protect the country, your position, and the obligation that you assume. Is that the way you see it?

Mr. BUSH. Yes, sir. I see it—I see that relationship clearly.

The CHAIRMAN. Yes.

Mr. BUSH. Some have charged that because I know the President personally, that would be bad for some reasons. I think it is good. If I have the proper integrity for this job I think the intelligence community is entitled to have its views forcefully, firmly presented to the President and then have the policymakers take over. That is my concept of this relationship, and certainly if there was wrongdoing or I detected improper pressures from the White House, I think, because of access, I would be in a reasonable position to do something about it.

I am not saying I am omniscient and would see right away that it was good or bad. I think there are some gray areas. But I would have the access and I think I would use it not to do bad things suggested by the White House but to see that the CIA views are fairly presented.

The CHAIRMAN. You would either correct those matters of any greatness at all yourself or take it up with him.

Mr. BUSH. Yes, sir.

The CHAIRMAN. All right.

I thank you very much.

Senator SYMINGTON?

Senator SYMINGTON. Mr. Ambassador, several points you made this morning worried me a bit. I do not think you really meant it that way when you said; maybe you were old fashioned, but you still believed in patriotism.

I have watched my four grandsons, children of today—and believe the youth of today are equally patriotic. I think leadership in the executive branch—and I am not talking about any one administration—and leadership in the Congress is more responsible for the recent lack of desire to join the armed services than anything, these "no-win" war concepts, for example.

I would hope you would not think most of the youth of today are not patriotic.

Mr. BUSH. I have four sons, one daughter. I have just as much confidence. I do get concerned about what sometimes seems to be—well, take the word "politician." The connotation of the politician has changed, some of it with reason, some of it in my view without. I stand here and say I think it is honorable. I know a lot of people do not. So it is this kind of general feeling I have rather than any lack of confidence in my four sons and I am sure yours, sir.

Senator SYMINGTON. I wanted you to expand on that because I felt I knew how you really felt about it. The basic problem, in my opinion, in the United States today is "greed." As I watch many operations around this country I am saddened. The efforts for authority, the efforts for votes. Often it has little to do with money, although there are a lot of people interested in getting as much money out of the Government as they can. The record so proves. Most are not in Government. Some are.

So I think that is perhaps our great problem today, and the only way we are going to solve it is through sacrifice. I do not know anybody who is asking me to sacrifice anything. I watch people go by 20, 30 miles above the speed limit, one person per car. We could go into more detail about that, but I think you know what I am getting at.

Mr. BUSH. I do, sir.

Senator SYMINGTON. This country has to have leadership that shows the way. I will take my full responsibility, inability to handle in the legislative branch, I honestly do not think in recent years proper leadership has been characteristic of the executive branch either.

Another matter: We are getting very open, you might say. I hope that does not impinge too heavily on your intelligence job. It is my understanding the man who runs the system of the country considered generally to be probably our leading opponent, has the title at least among his colleagues, of director of misinformation. So I hope you do not feel over obligated by what has happened in the past. Otherwise you, in effect, defeat the basic concept of your job which has vitally important covert operations so as to obtain vital intelligence information.

This is said with the premise that such information is important to the security of the United States. I would hope you agree there is information you only have to give the President, not necessarily the Congress at the time.

Mr. BUSHL. I agree. I do feel that one of the things that troubles me is the tendency to wantonly disclose secret information. I understand it, the employees of the CIA, and I think properly, take a pledge of secrecy, not to disclose classified information when they are there and not to disclose it after they leave, and I am appalled at indications that some do not take that pledge seriously. It is not fair to those who are working faithfully for their country in this important place.

I think it is wanton and I do not think it is right and I will certainly do what I can—this is a side area but I will certainly do what I can to see that the families and the individuals who do abide by the rules of that game are not endangered by the wanton disclosure on the part of others. That clearly moves over into some of the more sensitive areas, I think, but I have a general feeling that Congress must be kept closely informed, and yet I am confident when I get in there I will find things that are between the Director and the President just as there are between the President and other appointees.

Senator SYMINGTON. I agree with you.

Mr. BUSHL. That should be kept confidential.

Senator SYMINGTON. We are talking about covert operations.

One other point that worried me in your testimony is when you said something about not being a Cabinet member, did not have Cabinet rank, were an operating man primarily. I agree only partly with that. Based on my experience, it is difficult to separate policy and operations—very hard. I would hope the fact you were not a member of the Cabinet would not give you hesitation in giving the President the situation as you saw it regardless of whether or not you were formally a Cabinet member.

Mr. BUSHL. That would be my intention, sir, and I was simply referring to the essentialities of presenting to the policymakers the most objective possible analysis, whether it agreed with existing policy or not, but I do recognize the Director of Central Intelligence and the CIA function as well does not make foreign policy. That is the point I was trying to make.

Senator SYMINGTON. You have cleared that up. Thank you for your courtesy.

The CHAIRMAN. Gentlemen of the committee, turning to this matter of the so-called conflict of interest that we always go into, Mr. Bush has conferred with Mr. Braswell, our valuable chief counsel and staff director, and has written a letter, dated December 14, addressed to me as chairman, and I consider that to be to the committee regarding these matters and I have it here for the inspection of any member of the committee that might want to review it.

Let me ask Mr. Braswell one question. Mr. Braswell, you heard my statement made here. You have handed me this letter dated December 14, 1975, and in your conferences with Mr. Bush and those representing him, does he meet all the requirements of the committee that we customarily apply with reference to reported nominees?

Mr. BRASWELL. Mr. Chairman, Mr. Bush does meet these requirements. The letter indicates that he will sell any holdings which pose any conflict of interest with the Central Intelligence Agency. There are a limited number of securities which have certain relationships and it is indicated that he will dispose of those within 30 days after confirmation.

The CHAIRMAN. All right. Members of the committee, we will put this letter with its exhibit in the office file. It is available to any committee member who might want to examine it. We do not customarily put these matters in the public record, but keep a special file on it.

[The document referred to will be found in the files of the committee.]

The CHAIRMAN. Senator Hart, that brings us now to you.

Senator HART. Thank you, Mr. Chairman.

Mr. Ambassador, back in 1952 at the request of President Eisenhower, the committee or Commission looked into the state of the intelligence community at that time. Under the chairmanship of General Doolittle they reported back some recommendations for changes, but most importantly in the preamble of their report there is a statement that I think many of us have found rather shocking. It is to the effect that during the period of the cold war this country was faced with a ruthless enemy and that to survive in the world, a world populated by enemies of this sort, we had to become at least as ruthless as our enemies and in effect discard or shelve what the report called the "traditional American values."

In the judgment of some of us who have been looking into this area for many months, it is that kind of an attitude or mentality which has led to some of the conduct which you described as outrageous. What is your feeling generally about the activities of this country in relation to the activities of other countries? Do we in your judgment have to adopt the same techniques to survive in this world?

Mr. BUSH. Senator, I made my public position on assassination. Having said that, I am somewhat aware, not perhaps as aware as the committee, having not had access to the information, that we are up against some pretty ruthless people. They are today ruthless and they are tough and today they will resort to schemes that are not overly pleasant.

I am not going to sit here and say we need to match ruthlessness with ruthlessness. I do feel we need a covert capability and I hope that it can minimize these problems that offend our Americans. We are living in a very complicated, difficult world.

Senator HART. But you would not go so far as to say we have to abandon our traditional values or sense of fair play.

Mr. BUSHL. I would not abandon my own traditional values or sense of fair play, certainly, and I do not think we should as a Nation.

Senator HART. The principal intelligence judgments are products of the intelligence community, national intelligence estimates. They are not presently or have not been traditionally given to the Congress or congressional committees. Rather, the judgment of the intelligence community is summarized when it is given.

What would be your view on having the CIA's national intelligence estimates made available to the appropriate committee of Congress, particularly Foreign Relations and Armed Services?

Mr. BUSHL. I would want to take a close look at that. I would—I am not too familiar with the totality of the national intelligence estimates, what that involves, so I am not going to commit ahead of time to what would be delivered, but certainly in terms of keeping these committees involved, keeping them involved on important matters, I would be inclined to say at this point, yes, but I would reserve the right, if I could, to at least understand the totality of what we are talking about.

I think, getting back to Senator Symington, I think there are some things that must be between the intelligence and the President and must be determined by the President, and that I would have to stand with.

Senator HART. Under present procedures, when the Congress is informed about covert operations, it is informed after the executive branch has already approved those operations. It seems to me that an alternative would be for the Director of Central Intelligence to present the proposed action to the Congress, or the appropriate committees, at the same time, simultaneously with proposing that action to the executive branch. What would your feeling be about that?

Mr. BUSHL. I would oppose that.

Senator HART. On what grounds?

Mr. BUSHL. On the grounds I think it is the obligation of the President to determine the covert activities and I would say after plenty of adequate consultation with the NSC and representatives of the intelligence community, but I think he must make that decision and I do not think it ought to be a joint decision and I think it might be a joint decision if it were done in the manner you suggest.

Senator HART. So the only way to prevent the Congress from vetoing a decision is to just not let them know.

Mr. BUSHL. There are things in intelligence, Senator Hart, that I think have to be kept confidential, but that is not to say they should not be disclosed to Congress and that is not to say Congress should not be fully informed at the appropriate time. The law specifically, as I understand it—the amendment specifies they shall be informed and I will do my best to inform them but before a foreign policy decision is made, I do not think that there has to be a group decision on that. I think that is what the Presidents are elected to do.

Senator HART. Well, one, information does not presume decision. Nor does it presume disclosure.

Mr. BUSHL. I did not suggest, sir, that it meant disclosure.

Senator HART. You certainly did. Your response was you do not think there should be disclosure.

Mr. BUSH. I mean public disclosure. I was not suggesting a leak if that is what you meant.

Senator HART. Well, that takes us to a current case and that is Angola. It has been suggested in situations such as Angola that rather than have assistance provided, if you will, under the table, why do we not just openly acknowledge the fact that we are assisting certain governments and certain political groups around the world, that we feel that they stand for democracy and the kinds of things we represent. We are assisting them openly, rather than have it sort of come out piecemeal as it always is done.

Mr. BUSH. I think in some instances we should do that. Angola I have not been briefed on. I do not know the facts. I do not know the problems with neighboring countries—I do not know what the extent of the Soviet aid is to the MPLA. I just simply do not know, so I would have to defer but I think in this instance that is correct, and in some instances we do this with arms programs.

Senator HART. So you would not preclude the possibility that there might be situations in the world where we would want, in a political conflict, to take sides with one party or another and openly provide them financial assistance or arms in the struggle. Do you think that would be a possibility?

Mr. BUSH. This gets close to the responsibilities of the Congress during war and things of that nature, you see.

Senator HART. That is right.

Mr. BUSH. And I think each case has to be looked at on its own merits.

Senator HART. But you do not preclude that possibility?

Mr. BUSH. Would you repeat what I am not precluding once more?

Senator HART. That we would openly assist financially and with arms where a dispute is going on as to what kind of government should emerge in a country, but not after a government has emerged and been recognized, and then provide arms. When there is conflict, when there is hostility, when the nature of that government is not determined we would become involved.

Mr. BUSH. I would not preclude that in some cases this might be done, but I am not arguing the merits of how Angola is being handled at this time because very candidly I am not briefed on that.

Senator HART. You have been very critical of previous CIA and other intelligence officials and officers for disclosing the nature of their experiences. Would you favor anything like a British Official Secrets Act to prevent that kind of thing?

Mr. BUSH. Where, sir, did you point to my being critical—what was the first part of the question?

Senator HART. You said in your opening statement and at other times that you had been critical of former CIA officials and officers who were on public broadcasts.

Mr. BUSH. Oh, those were—oh, excuse me. Ex-CIA employees. Yes. Go ahead.

Senator HART. To prevent such occurrences—would you favor something like the British Official Secrets Act?

Mr. BUSH. Well, I understand that was one of the recommendations of the Rockefeller Commission. Certainly I would give it some serious

attention. Again, I am not fully up to date on it, but just from reading their recommendations, provided the individual rights are safeguarded, I can see some reason. What I was talking about is existing oaths of secrecy that are taken by these employees, some of whom then go out and at their own discretion leak classified information and I oppose that.

Now, what needs to be done to guarantee against it I do not know, but perhaps that suggestion in this Rockefeller Commission report might be the answer. I have not really fully gone into the details of it in 6 days.

Senator HART. Do you believe, Mr. Ambassador, that our ambassadors and heads of missions should be fully apprised of CIA activities in their countries?

Mr. BUSIL. Yes, sir.

Senator HART. Absolutely?

Mr. BUSIL. Yes, sir. I feel strongly about it for chiefs of missions.

Senator HART. That is all, Mr. Chairman.

The CHAIRMAN. Senator Tower, will you excuse me? I overlooked the fact that you might have additional questions.

Senator TOWER. I do not have any questions, Mr. Chairman.

The CHAIRMAN. Gentlemen, when we recess we propose to recess until tomorrow morning at 10 a.m. in this room, at which time I had agreed that we would hear Senator Church for a statement. I invited him to come and sit with us today or make a statement today, but he could not, so he will be with us tomorrow at 10 a.m. to make a statement. I would propose that we first receive Senator Church's statement, then recognize the Senators who could not be here today and then proceed with those who have been in attendance.

All right, Senator Leahy.

Senator LEAHY. Thank you, Mr. Chairman. Just to follow up on Senator Hart's questioning on Angola, Mr. Ambassador, I understand you do not feel that you have enough information about that to state whether prior to any CIA intervention in Angola there should have been consultation with the legislative branch, either in closed session or other confidential fashion.

Mr. BUSIL. I do not know the facts on Angola, but I thought I responded to the Senator that I do not think there had to be consultation with Congress before providing arms to Angola.

Senator LEAHY. I understand that and it somewhat concerns me. I hope you will allow just a little editorializing, which I understand sometimes goes on. You have had more experience in Congress than I have. But, you know, if the CIA had the opportunity to support forces we are now opposing—many people feel that the CIA is trying to correct its own mistakes, pouring arms and money into what could be potentially a terribly dangerous conflict. I recall at the time of the winding down of the Vietnam war when we had the President of the United States telling us we had to give them \$200 million or \$400 million more or there would be a calamity. We were told by the administration there would be thousands of lives lost in Vietnam, in a bloodbath, if we did not pour in more money. At the same time our own intelligence reports showed that no matter what kind of money we put in, unless we put in American manpower and airpower it would not make any difference at all. I think that whole debate might have been avoided

if we had just been honest instead of having the White House and others say they need this so we can turn the corner one more time. If they had just been honest and said what we had if we had had full consultation with complete reports, we would have realized it would have been useless at that time, Angola just points up again the same questions.

As I say, that is editorializing, and I realize there is a dichotomy of views on this, but I am concerned about the fact that somehow we seem to have that feeling that we can get into these things and people somewhere along the line can make these decisions in total secrecy and the best purposes of the United States will be served, and really we should not ask questions because nobody in the United States, high in the U.S. Government, would make a decision that was not in the best interest of our country.

That may be so, but I think there are a lot of people in the Congress who may question just whether it really is in the best interests of the country in those regards.

I hope that you will have a fairly open idea of which areas there should be consultations with the Congress and so advise the President. I think that a number of things that we find ourselves getting involved in, we would not if we made those decisions with more thorough consultation.

Incidentally, do you favor a fixed statutory term for CIA Director, say a term of 10 years?

Mr. BUSH. Again, understand I have not studied this thing but I am inclined to say yes to that. I do not have any views on length of term. I think they recommend in here 10 years. I think it makes sense to have a certain fixed term.

Senator LEAHY. If a Democrat were elected President next year and you were CIA Director, would you feel duty bound to turn in your resignation?

Mr. BUSH. No; not to quit, but I feel he would be duty bound to have my resignation. Yes; I feel duty bound to hand in the resignation and he could act on it if he wanted to.

Senator LEAHY. Would you feel that because it was a Democrat or just a new President?

Mr. BUSH. Because I serve at the pleasure of the President and the new President should not have to throw me out and go through the embarrassment of calling friends and saying, "go get this guy out. I want to put somebody else in." And I would do it just as I did when one Republican administration finished a term. I did it and was out—the United Nations. No; I feel strongly as long as we have it the way it is that you serve at the pleasure of the President, that you should not be dragging your feet, should not embarrass the President into having to kick you out of office.

Senator LEAHY. You do not think it is a partisan thing.

Mr. BUSH. It is objective, the way the rules are.

Senator LEAHY. Mr. Chairman, if I could just make a very brief statement.

The CHAIRMAN. All right, Senator.

Senator LEAHY. This is a crucial period as we all know for the intelligence community. Public trust and confidence have been badly eroded and I think in many instances justifiably so, but the intelligence

community can serve a valuable function in our Government. Any one of us would be naive in thinking that a country with the military power of the United States could survive without an intelligence community. But it has to operate within the law and it has to respect the rights of the American people; in the past there have been many instances where it has not. Intelligence capability is needed and deserves the support of our people. But that support must be earned.

In its final report to the President, the Rockefeller Commission concluded that the proper functioning of the Agency must depend in large part on the character of the Director of Central Intelligence. The best assurance against misuse of the Agency lies in the appointment to that position of persons with the judgment, courage, and independence to resist improper pressure and importuning, whether from the White House, within the Agency, or elsewhere.

We are to decide whether the President has ignored that advice in this case. I do not mean that in any way to detract from your own obvious qualifications. I think you served extremely well at the United Nations. I think you served extremely well in China. The CIA needs a director who will be free of political biases. While a man with a political background should not be rejected automatically, I think a man whose background has been primarily political is not a good choice for this position at this time. For the CIA to function properly it must have an independent voice in policy determinations. The Agency must be free from partisan political pressure, from all groups, both inside and outside the Government, and that includes the White House. Most importantly, the public must have the perception that the CIA Director will have an independent voice. If the Director is perceived to be governed by political considerations, the public confidence which we so desperately need at this time might not be attained. The position of the Director requires a person of proven strength and independence, someone who will be willing to tell the President that he is wrong, if that becomes necessary, and a person who in that same way will help us in the Congress to carry out our own oversight functions, our own responsibilities, because quite frankly the Senator from Vermont feels in many instances we just have not.

So I thank you for taking the time to listen, Mr. Bush.
Thank you very much.

The CHAIRMAN. All right. Thank you, Senator.
Does any member of the committee have any additional questions of Mr. Bush?

Senator HART. Mr. Chairman, I would like to ask two quick questions, if I may.

The CHAIRMAN. All right, Senator Hart.

Senator HART. Mr. Ambassador, if the President of the United States ordered the CIA to attempt to overthrow a foreign government and you were requested to appear before the appropriate congressional committees in executive session and under oath were asked if in fact this Government or any of its agencies were involved in attempting to overthrow that government and the President also instructed you that you were not to disclose to anyone the fact that we were involved in that kind of activity to anyone, including the Congress. What would be your reaction?

Mr. BUSH. My reaction would be to get a good opinion--to understand thoroughly what the law said on that.

Senator HART. The law says do not lie to Congress.

Mr. BUSH. I would not lie to the Congress, Senator Hart.

Senator HART. Do you have any feelings whatsoever about separating clandestine services from intelligence evaluation, particularly covert operations, and putting them under some other direction?

Mr. BUSH. I have a feeling that they ought not to be in peacetime under policymaking bodies and thus I--unless somebody comes up with a more clear answer, I think that they should be in the Central Intelligence Agency. I would be somewhat appalled if somebody suggested they be put into the State Department or Defense Department because I think they should be separate. I perhaps properly, perhaps improperly--to the degree you can separate CIA from those two other agencies in terms of policy.

The implementation of policy is covert but I have seen no housing that would be more appropriate than the CIA at this juncture. I am openminded on it.

Senator HART. The National Security Council? If we really came to the view that a lot of people have suggested, that covert operations should be ad hoc and not continuing, then could not the National Security Council set those in motion other than having an in-house capability all the time?

Mr. BUSH. Frankly, Senator, I had not thought about that in particular, and I will study that recommendation of your committee very carefully if that is one of them.

Senator HART. Thank you, Mr. Chairman.

The CHAIRMAN. All right, gentlemen. Any other questions?

Just for information generally, we were talking about disclosures. I would think the only reason anyone would hold back a disclosure would be fear that it might be injurious to the welfare of the country if it got out, so to speak, in the public domain where a potential adversary would know it.

We find there is an old Espionage Act passed in 1917 or 1918, anyway, during World War I, whose language is very inadequate. That is the only law except one I mentioned that makes it a criminal offense for anyone to disclose these sensitive matters. And that exception is the Atomic Energy Act which has written into its provisions a proviso that makes it a criminal offense for anyone to disclose sensitive and classified information. It was under that act, as I understand it, the part that was passed after World War II, that was involved in the Rosenberg case. So we looked this over closely last year in connection with a matter that we had in our committee and found that the old espionage section of the law was insufficient and, of course, the Atomic Energy Act did not apply to the facts we had.

My point is that as long as the law is in that shape, these people are going to be slow to divulge supersensitive matters to Members of Congress, to members of the executive branch at the level lower

than the President and Cabinet, or to anyone. They are going to be slow to do it because there is no criminal penalty protection that applies. We have been very concerned about that.

The question of ordinary amendment to the criminal code would be one way to get at it. Another would be to amend the Atomic Energy Act. It is a very difficult matter. I have some good lawyers on this committee, and I think it would be worth looking into, and refer the matter to Senator Leahy. I know Senator Leahy, you are a man of competence in the law and I wish you would look into it, please.

My point is that when we disclose it, it is barefoot and free. There is no penalty on them. This leads to further disclosure.

All right, Mr. Bush. Is there anything else you wish to say?

Mr. BUSH. No, sir.

The CHAIRMAN. Well, we thank you very much for being here.

Mr. BUSH. Thank you, Mr. Chairman.

The CHAIRMAN. You are an excellent witness. You have already heard me say that we will recess until 10 a.m. tomorrow morning. At that time I will recognize Senator Church and then the Senators who could not be here today. Mr. Braswell will have someone notify these Senators they will be recognized first and then we will get back to the others.

Thank you very much. We will recess until tomorrow at 10 a.m.

[Whereupon, at 12:30 p.m., the committee recessed, to reconvene at 10 a.m. on Tuesday, December 16, 1975.]

NOMINATION OF GEORGE BUSH TO BE DIRECTOR OF CENTRAL INTELLIGENCE

TUESDAY, DECEMBER 16, 1975

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C.

The committee met, pursuant to notice, at 10:07 a.m., in room 1114, Dirksen Senate Office Building, Hon. John C. Stennis (chairman) presiding.

Present: Senators Stennis, Symington, Jackson, McIntyre, Culver, Gary Hart, Leahy, Thurmond, Tower, Goldwater, William L. Scott, and Bartlett.

Also present: T. Edward Braswell, Jr., chief counsel and staff director; W. Clark McFadden II, counsel; John T. Ticer, chief clerk; Phyllis A. Bacon, assistant chief clerk; Francis J. Sullivan, professional staff member; Roberta Ujakovich, research assistant; and Doris E. Connor, clerical assistant.

Also present: Charles Stevenson, assistant to Senator Culver; Rick Inderfurth, assistant to Senator Hart; Doug Racine, assistant to Senator Leahy, and William L. Ball, assistant to Senator Tower.

The CHAIRMAN. Our committee will please come to order.

We are pleased indeed to have visitors with us.

I understand, Mr. Bush is here. We are pleased to have with us one of our distinguished colleagues, Senator Frank Church. I talked with him about appearing either yesterday or today, and he said he could make it today. I will recognize Senator Church first to present such matters as he might wish, and as I said, we will recognize the Senators who could not be here yesterday. Then we will hear from the other witnesses.

Senator Church, we are delighted to have you here, and you really need no introduction. We are interested in what you have to say.

STATEMENT OF THE HONORABLE FRANK CHURCH, A U.S. SENATOR FROM THE STATE OF IDAHO

Senator CHURCH. Thank you very much, Mr. Chairman and members of the committee.

First let me say quite sincerely that it is not easy for me to come here today to speak against the nomination of George Bush for the directorship of the CIA. He is a man of demonstrated ability. He is a man I personally like. I voted for his confirmation when he was assigned as our Permanent Representative to the United Nations. And from what I am told, his record as our representative in Peking has been a worthy one.

I can think of many positions in the Government for which I would not hesitate in the slightest to support the appointment of Ambassador Bush, but he is not in my judgment the right man for this particular job.

Mr. Chairman, let us not forget the original purpose of the Central Intelligence Agency, the reason for its creation in the first place. It was to be an independent civilian, nonpolitical, nonpartisan intelligence agency. Its duty was in the words of Allen Dulles, the CIA's Director from 1953 to 1961, to weigh all the facts and to draw conclusions from those facts, without having either the facts or the conclusions warped by the inevitable and even proper prejudices of the men whose duty it is to determine policy and who, having once determined the policy, are too likely to be blinded to any facts which might tend to prove the policy to be faulty.

The Central Intelligence Agency, concluded Dulles, should have nothing to do with policy.

This is how the CIA was meant to operate. It was to be totally objective. It was to be completely disinterested. In fact, its character was one to be shorn of any vested interest. The CIA was to be insulated from the ebb and flow of political considerations. It was an agency that was intended to stand up to pressures from any source, whether from the State Department or the Pentagon, and to resist all the partisan pressures which may be brought to bear by various groups, both inside and outside the Government, including partisan pressures from the White House itself.

Otherwise, Mr. Chairman, there really is no need to have a CIA. For many years we did without one. We collected our intelligence from other agencies of the Government, from the State Department, from the Military Forces that have, as you know, Mr. Chairman, a very considerable intelligence capability. But when the CIA was established, the principal argument for its creation was that we should have a disinterested agency so that neither the President nor the Congress would have to rely solely on the self-interested intelligence assessments afforded by institutions that were policy oriented, that had vested interests to protect and to preserve.

So, if we are to maintain the CIA and achieve its intended purpose, we must guarantee the independence and the nonpolitical character of that agency.

Mr. Chairman, be assured that the CIA will be no more independent and no more nonpolitical than its Director. This does not mean that we must always select a Director from within the Agency or from outside the Government. Just because someone has been in politics, by no means is he automatically disqualified from heading the CIA. The critical factor is the selection of a person of demonstrated independence whose role in politics has been one of muted partisanship and who has shown the capacity to stand up and say, no, Mr. President, I believe you are wrong. According to our best information, the policy you propose will fail. It is based upon incorrect assumptions which are contradicted by the underlying facts as we find them. And I must insist even at the risk of courting your displeasure, Mr. President, that you review once more the facts as we have determined them in this Agency.

Now, Mr. Chairman, I suggest that unless we have a Director who is in a position to assert this kind of independence, whatever the pres-

sures may be, political or otherwise, on the President to follow some policy thought by the Director to be unwise, then the important role of the CIA cannot be sustained.

This is why the appointment of Ambassador Bush is so ill advised. It is one thing to choose an individual who may have had political experience, say someone like Elliot Richardson, or John Sherman Cooper, two men whose whole public life tended to demonstrate a proven independence and a muted partisan background, and quite another to choose someone whose principal political role has been chairman of the Republican National Committee.

While there is no need to eliminate an individual from consideration simply because he or she has held public office, the line must be drawn somewhere. A man of Mr. Bush's prolonged involvement in partisan activities at the highest party level surely passes over that line.

We should also not lose sight of the impression this appointment will make, not only within our Government, but throughout the country. At the very time we are discussing the reform of our intelligence services, we create a most unfortunate impression if we treat appointments to the CIA in the same way we used to treat appointments to the Post Office Department.

Mr. Chairman, there is some irony in the fact that we used to as a matter of custom set aside the postmaster generalship for a man who had served as party chairman. Postmaster generalship was known to be the most political and the least sensitive Cabinet post. Surely the directorship of the CIA is the least political and most sensitive of all appointments.

Journalist Tom Braden, a former CIA officer, captures the essence of this aspect of the problem with the Bush nomination in a column in the Fort Lauderdale News entitled, "George Bush, Bad Choice for CIA Job." Braden noted that the appointment looks bad and looks bad at a time when public confidence in the CIA is such that everything about it should look good.

Mr. Chairman, the Senate and House committees, not to mention the President's own Commission on Intelligence, have labored for months, reviewing the problems of the intelligence agencies. These problems, they have been plentiful, and the areas for new legislation are many. Still the prospects for starting afresh are good, and I have viewed the chances to restore public trust and confidence in the CIA with considerable optimism, but this is no way to begin the restoration. No new set of laws, no new guiding principles, regardless of how skillfully drawn, will restore this trust if the credentials of the new Director raise serious questions of propriety.

As a Washington Post column entitled, "Overlook Political Realities" by the conservative Rowland Evans and Robert Novak, certainly no partisans of mine, notes:

The Bush nomination is regarded by some intelligence experts as another grave morale deflator. They reason that any identified politician, no matter how resolved to be politically pure, would aggravate the CIA's credibility gap. Instead of an identified politician like Bush . . . what is needed, they feel, is a respected non-politician, perhaps from business or the academic world.

The columnists then go on to say:

Not all experts agree. One former CIA official wants the CIA placed under political leadership capable of working closely with Congress. But even that

distinctly minority position rebels against any Presidential scenario that looks to the CIA as possible stepping-stone to the Vice Presidential nomination.

It is precisely that potential, the use of the CIA as a springboard for higher office, that I find particularly troublesome.

A second editorial in the Post entitled, "The Bush Appointment," takes a stand against his nomination, arguing that this position should not be regarded as a political parking spot," and particularly in view of the need to strengthen and restore public confidence in the CIA after the revelations of wrongdoing that have marked the news for these many months. I could not agree more.

It appears as though the White House may be using this important post merely as a grooming room before Mr. Bush is brought on stage next year as a Vice Presidential running mate. Personally, Mr. Chairman, I think he would grace the ticket if that were the question. That is not the question. When asked at a press conference if the nomination of Mr. Bush would eliminate him as a Vice-Presidential candidate, President Ford said, "I don't think he's eliminated from consideration by anybody, the delegates to the convention or myself."

When asked the same question on "Meet the Press," the President bristled and replied coolly, "I don't think people with talent ought to be excluded from any field of public service."

Mr. Bush also leaves the door wide open. In his appearance before this committee yesterday his answer to the question of whether or not he would accept the Vice-Presidential nomination was, "I cannot in all honesty tell you that I would not accept."

So here we stand. Need we find or look to higher places than the Presidency and the nominee himself to confirm the fact that this door is left open and that he remains under active consideration for a place on the ticket in 1976?

We stand in this position in the close wake of Watergate, and this committee has before it a candidate for Director of the CIA, a man of strong partisan political background and a beckoning political future.

Under these circumstances I find the appointment astonishing.

Now, as never before, the Director of the CIA must be completely above political suspicion. At the very least this committee, I believe, should insist that the nominee disavow any place on the 1976 Presidential ticket. Is he to be there only 6 months? Are we to approve, given the present state of the CIA and public attitudes toward it, a Director who will be there hardly long enough to warm his chair?

Are we not to ask some assurance at least that he stay long enough to do the job that needs so badly the doing?

I believe that this committee should insist that the nominee disavow any place on the 1976 Presidential ticket. Otherwise his position as CIA Director would be hopelessly compromised. Consider the thought-provoking words, Mr. Chairman, of George F. Will. I believe him to be the most articulate and profound of all the conservative columnists in this country today. Now, listen to his words. He is a thinking man. He says with respect to this nomination:

It is possible to imagine situations in which the CIA would be pressured to suppress inconvenient information, or to report things convenient to the political purposes of an administration.

Imagine an administration looking to the next election and determined to celebrate detente as its finest achievement. Imagine that the administration

is excessively anxious to achieve another strategic arms agreement with the Soviet Union.

Suppose the administration triumphantly signed an agreement limiting the number of strategic vehicles—missiles and bombers—on each side. Critics might say the limit is a false ceiling. Critics might charge that the limit is as high as the Soviet Union can or wants to go during the term of the agreement. Therefore, the agreement is an empty exercise, a limit that does not limit.

Then the administration would appreciate a CIA report arguing that the Soviet Union has the ability to surpass the limit in the near future and would do so if there were no agreement.

Or suppose the administration wanted an intelligence report minimizing this or that verification problem—say, the difficulty of verifying Soviet compliance with range limits on cruise missiles.

Or suppose the administration could get a CIA report supporting the hitherto unsupported Soviet contention that the Soviet Backfire bomber—which can deliver nuclear weapons over intercontinental distances—nevertheless lacks the strategic significance, and should not count against the Soviet total of 2,400 strategic vehicles permitted by the Vladivostok Agreement. Such a CIA report would concede a Soviet point without seeming to be a concession, and could grease the skids for a pre-election agreement.

Those are George Will's words.

What would be the response in these circumstances of a Director who hoped to be tapped by the President for higher political office? We expect too much of human nature if we do not recognize the compromising position into which the Director is placed if he has constantly dangled before him the promise of high political office while he is charged with such sensitive and serious duties to perform, all of which must be of a highly independent nad nonpolitical character.

I remember reading a passage from the testimony of Gen. Vernon Walters during the impeachment inquiry last year. General Walters was and continues to be the No. 2 man at the CIA. In his testimony he told of a meeting he had with John Dean in 1972. In this meeting General Walters informed Dean that, and I quote:

Any attempt to involve the Agency in the stifling of this (the Watergate) affair would be a disaster. It would destroy the credibility of the Agency with the Congress, with the nation. It would be a grave disservice to the President. I will not be a party to it, and I am quite prepared to resign before I do anything that will implicate the Agency in this matter.

Thus, the CIA resisted White House pressures to stifle the FBI investigation. Could the Agency stand up against such pressures if its Director were a close political ally of the President and indeed one of the candidates actively being considered for the Vice-Presidential office?

Columnist George Will concluded that Ambassador Bush at the CIA would be "the wrong kind of guy at the wrong place at the worst possible time." For the reasons I have outlined, I am forced to agree.

Mr. Chairman, let us not make a travesty out of our efforts to reform the CIA. The Senate and the people we represent have the right to insist upon a Central Intelligence Agency which is politically neutral and totally professional. It is strange that I should have to come before this of all committees to make that argument. I urge this committee to oppose the nomination of George Bush to this sensitive position unless he is at least willing to withdraw himself completely as a Vice-Presidential candidate in 1976. It is not a matter of Ambassador Bush being

asked to renounce his political birthright as he said yesterday. I am sure he will have opportunities in the future to continue his political career, if he so wishes. But what he wishes now is to be appointed at the threshold of the national elections Director of the CIA and it is the propriety of such an appointment that we must consider.

What is at stake right now is the professional reputation of the intelligence services and the confidence of the American people in their institutions of government. These questions are of much greater significance than any one person's political future in 1976. If Ambassador Bush wants to be Director of the CIA, he should seek that position. If he wants to be Vice President, then that ought to be his goal. It is wrong for him to want both positions, even in a Bicentennial year.

And so I speak out against this appointment, Mr. Chairman. I do so reluctantly. It has been a very hard thing for me to do because of my personal liking and respect for George Bush. But no other course is open to me. For if the CIA is to play its intended role in our Government it must be impartial, nonpartisan, and nonpolitical, and its ability to do so depends in the final analysis on the Director who possesses those same qualities.

That concludes my statement, Mr. Chairman.

The CHAIRMAN. Senator, as always, you have given us a thought-provoking, very valuable, and well prepared statement.

I do not know the pleasure of committee members regarding questions, but frankly, I made some notes myself pondering your points and more. I am sure you do not object.

Senator CHURCH. No. I will respond to any questions, Mr. Chairman.

The CHAIRMAN. Well, I will pass. Senator Thurmond, I will turn it over to you.

Senator THURMOND. Thank you, Mr. Chairman.

The CHAIRMAN. Without objection, we will follow our usual 10-minute time rule.

Senator THURMOND. Senator Church, do you know Mr. Bush very well?

Senator CHURCH. Yes. I have known him for a number of years.

Senator THURMOND. Do you consider him an honorable man?

Senator CHURCH. Yes; I do.

Senator THURMOND. Do you consider him a man of character and integrity?

Senator CHURCH. Yes; I do.

Senator THURMOND. Did you hear his statement before this committee or have you read his statement?

Senator CHURCH. I read his statement.

Senator THURMOND. And he stated under no conditions would he play any politics. He would be completely nonpartisan, and politics would not enter into the performance of his duties at all. Did you know he said that?

Senator CHURCH. Yes. I read that statement.

Senator THURMOND. Do you believe him?

Senator CHURCH. Senator, as I said in my prepared statement, we have two things to consider and I say this having spent a year investigating the CIA and it is my firm belief that we must do everything we can to restore public confidence in the professional character of that

agency. So one thing we must consider is appearances, if public confidence is to be restored.

Senator SYMINGTON. Consider what? I did not hear.

Senator CHURCH. Our appearances, if public confidence is to be restored. I think the appointment of a man whose political role in the past has been so highly partisan—he has been the chairman of the Republican Party—is in itself a mistake so far as appearances go.

Beyond that, I would say that if the Director of the CIA is to be actively considered on the national ticket, then he is placed in a hopelessly compromised position. I think he would try conscientiously to do his job, but with that particular position dangling in front of him it would be asking more of human nature than we should to put him in a position where he may have to court the displeasure of the President in order to do his job.

That has nothing to do with his integrity or his good intentions. It has to do with human nature with which all of us are well acquainted, and I think it is wrong to place the Director of the CIA in that kind of a compromised position.

Senator THURMOND. Do you think he has the character and courage to become Vice President?

Senator CHURCH. I would support him as I have in the past for many offices of a political character. I supported him for our Ambassador to the United Nations and I think he did a fine job as our Ambassador to China, but there is a difference between the Vice Presidency or the Presidency which are partisan political offices and the Directorship of the CIA which is not.

Senator THURMOND. That is not the question I asked you. Do you think he has the character and the courage to become Vice President?

Senator CHURCH. I said before I thought he would grace the ticket.

Senator THURMOND. How is that?

Senator CHURCH. I said before in my prepared statement—

Senator THURMOND. Is your answer yes or no?

Senator CHURCH [continuing]. That I thought he would grace the ticket. My answer is yes.

Senator THURMOND. Well, if a man has the character and courage to become Vice President do you not think he has the character and courage to do what he told this committee he would do, and then—

Senator CHURCH. As I said—

Senator THURMOND [continuing]. And that is not play politics with the position.

Senator CHURCH. As I said, I think I made my position clear. I think this is not a question of character or courage. I think it places the Director in a compromised position and no man can fully discharge his duties in such a compromised position.

Senator THURMOND. Do you not think the President is considering other important people for the Vice President if he is considering Mr. Bush? Or do you think he is centered on Mr. Bush?

Senator CHURCH. I do not know what the President's final choice would be. I only know what he has said and he has said that Mr. Bush is one of those that he is considering.

Senator THURMOND. In fact, Mr. Bush is not going to be in the spotlight more, at least he will be watched in a position where he will not be able to make political speeches. He will not be able to express his political philosophy, he will not be able to advocate Presidents nor express his principles. He will be taken out of the picture, so to speak, if he is confirmed in this position.

Senator CHURCH. If he is being taken out of the position then I would only hope he would say so.

Senator THURMOND. He has said this. If he takes this he is out of politics. He said this. Now, do you believe him?

Senator CHURCH. I read his words and you have read his words. I have commented on what he said in my statement and I stand by my statement.

Senator THURMOND. Now, what about Mr. Simon? He is one of the ablest Secretaries of the Treasury since Alexander Hamilton. Suppose the President considered him. Do you think he should resign as Secretary of the Treasury?

Senator CHURCH. Of course not, Senator. I see a very great distinction between the Director of CIA and the Secretary of the Treasury. I mentioned earlier in my statement that when we set up the CIA we did so for the purpose of establishing a wholly disinterested agency that would be wholly professional and nonpolitical in character.

This is a unique position. And it is for that reason and that reason only that I am here this morning. If Mr. Bush had been nominated to be Secretary of the Treasury I would not be here protesting. I would vote for his confirmation.

Senator THURMOND. Suppose the President considers Mr. Morton, Secretary of Commerce. Should he be denied being considered because he is Secretary of Commerce?

Senator CHURCH. The answer that I gave you to your previous question applies fully to this question.

Senator THURMOND. Suppose the President is considering Mr. Rumsfeld. That is a nonpolitical position—of all positions, you might say. He is here in this country. He does not make political speeches. He does not make partisan speeches. He and the Secretary of State, are two Cabinet officials that remain aloof from politics. Should Mr. Rumsfeld be denied being considered because he is Secretary of Defense?

Senator CHURCH. I think the question of Secretary of Defense is a little different but not much from the other positions in the Cabinet. I have known Secretaries of Defense that have played quite an active political role. But the Department of Defense is an interested agency. It has ongoing programs of great magnitude. It has vested interests to protect. And the point, the central point of my argument is that we set up the CIA so that we might have a totally independent and disinterested agency to which the President might look for basic facts against which to weigh whatever he is being told by the Pentagon or the State Department or other agencies that have vested interests in ongoing programs.

For example, I would not want my intelligence on the effectiveness of the foreign aid program to come exclusively from the foreign aid agency and that is why we set up the CIA and that is why it is a unique

position in the Government. Therefore, I think it would be a mistake to compare the Director of the CIA with other members of the Cabinet.

Senator TUTURMOND. And do you not feel with Mr. Bush's background as a Congressman, his having to understand Government and its ramifications, its various agencies the functions it performs, representative to the United Nations and having dealt with the representatives there from all over the world, and as a representative to Red China—a country we have to deal with and are dealing with—do you not feel that all of this better qualifies him to be a good CIA Director rather than to get some one who is not qualified in that way?

The CHAIRMAN. Gentlemen, excuse me. Your time is up, but you may answer the question.

Senator CHURCH. Very well, Mr. Chairman.

My answer to the question is that Mr. Bush's qualifications in political service and in diplomatic service eminently qualify him for political office and for diplomatic office, but I have tried to point out the reasons why the Directorship of the CIA is uniquely different. If I were looking for a political man to serve in that office, then I would want to find one whose past record demonstrates that he has from time to time stood up to the Executive and opposed the Executive publicly on matters of important policy because I think without that demonstration of independence he cannot possibly play the role intended for the Director of CIA. That is my answer to the question.

The CHAIRMAN. Thank you, Senator.

Senator Symington, that brings us to you, sir.

Senator SYMINGTON. Thank you, Mr. Chairman.

Senator Church, you need no commendation from me now. I have agreed with all aspects of what you have done, but, aside from this particular issue, your recent activities have made me proud of being in the Senate.

Senator CHURCH. Thank you very much.

Senator SYMINGTON. You say you would not approve a vote for this appointment unless Ambassador Bush in turn said he would not be a candidate for the Vice Presidency. If he said that, we both know he is an honorable man and would mean it.

Would you approve him if he did say he would not be a candidate?

Senator CHURCH. I think that I would make no determined fight against his nomination because I think that such a renunciation would clear the way to his confirmation. I would still personally cast my vote against the appointment because I think that in his public assignments and in his public record in the past, he may be very well qualified for any number of political posts but I do not believe that he has demonstrated the kind of independence, standing up to the Executive authority, that I would like to find in a Director of the CIA who may very well be called to do just that in an issue of critical importance to the country.

Senator SYMINGTON. Thank you. I have no further questions.

The CHAIRMAN. All right, Senator.

Senator Tower, that brings us to you.

Senator TOWER. Thank you, Mr. Chairman.

Senator Church, you and I have been engaged together in a common effort for some time; namely, the investigation of the intelligence-

gathering community. It was the idea of the Senate that this investigation should be conducted with an air of sensitivity and as free of partisan politics as possible. Therefore, the Senate set up our committee with a Republican representation that is quite frankly apportioned to its number, six Democrats and five Republicans. And rather than follow the usual procedure of having the next ranking Democrat serve in the absence of the chairman, the ranking Republican was designated as the vice chairman. This is the extent to which the Senate has gone in trying to establish the bipartisan character of this committee.

I think you would agree, I know you would agree, that the investigation should be conducted in a non-partisan way and I think that you and I both endeavored to do that. But a great deal has been said about perceptions and appearances here today and if we are to believe what the columnists and the pundits say, many of them, our efforts have not been non-partisan. As a matter of fact, we have been accused of covering up possible involvement of the Kennedys in certain abuses of power by both the CIA and the FBI.

Do you believe that these perceptions of what we have done are correct?

Senator CHURCH. No. Of course I believe they are incorrect and I think the fact that we have been able to act on all important matters with unanimity, both the Republicans and Democratic members agreeing, is the most effective rebuttal to those who are trying to cast the committee in an unfavorable light, and I think, therefore, their efforts have failed.

Senator TOWER. Well, you have quoted various newspaper columnists and reinforcing your argument that appearances and perceptions are important, that these are the perceptions that we must pay attention to.

Why are those perceptions of George Bush any more valid than the columnists' perceptions of the over-politicization of our committee process activities?

Senator CHURCH. Because, Senator, I think the report of our committee, the unanimity with which we have acted, is in itself a rebuttal to those charges. I am afraid that the nature of the political service of George Bush and its highly partisan character would create a most unfortunate public impression, quite apart from the man himself.

When I speak of appearances I do not speak of the man himself. I have told you of my personal feelings about George Bush. But we are attempting in this period to restore public confidence in the CIA and public confidence depends on a public perception that the agency is as nonpartisan and as independent and as nonpolitical and as professional as it was intended to be when it was created by Congress.

As you know, appearances do matter. I think in this case the appearance would be an unfortunate one and make it more difficult to restore that public confidence in the CIA.

Senator TOWER. It is my view that George Bush's character, the service that he has already rendered to his country, his ability to rise above partisanship has been demonstrated and therefore I would suggest that his performance gives the lie to these perceptions as well as the performance of the select committee gives the lie to the perceptions of what we have done.

Now, you probably know that some people in the press corps have referred to our committee as the Church for President. Now, I do

not regard this as being true but as long as we are talking about perceptions we might as well talk about these things and the committee has been formed for you to enter your name into the lists for the Democratic nomination for the Presidency. Do you believe that that fact makes our investigation of the CIA an act of politics or that it is colored any way by politics?

Senator CHURCH. Senator, I have made no decision with respect to the Presidency one way or another but you hold and I hold political partisan offices. The Presidency is a politically partisan office. I am not running at this time for the Presidency and I am not running nor am I the nominee for the Directorship of the CIA but the CIA is not a political office or a partisan office. And it is very important that we carefully choose the man who is to occupy it during the very period when it must be restructured and reformed and public confidence restored in it.

You see, I am not against the CIA as you very well know. I think that its intelligence-gathering functions are critical to the country, and furthermore I think it is critical to the country that we have one agency that does not have a vested interest in what it says. I do not want the President getting all his information simply from the State Department or the Pentagon or from political sources, partisan sources. I want him to have some agency to which he can turn and have some confidence that he is getting the objective facts from an entirely disinterested source even if those facts are unpleasant to him.

The office we are talking about is the Directorship of the CIA. We are not talking about the senior Senator from Texas' office or the senior Senator from Idaho's office or the Presidency, all of which are political partisan offices as we well know.

The CHAIRMAN. Gentlemen, I am sorry. Your time has expired.

Senator TOWER. May I ask one more question, Mr. Chairman?

The CHAIRMAN. All right.

Senator TOWER. We have already agreed that it is enormously important that the select committee have credibility and that is a matter of appearances and perceptions. Would not our investigation have more credibility if you were to foreswear any ambitions toward the Presidency of the United States?

Senator CHURCH. Senator Tower, if I were to become a candidate for President of the United States, I would step down as chairman of the committee. I must make that clear.

Senator TOWER. Mr. Bush has made it clear that he would perform leave the CIA were he nominated for other office.

Senator CHURCH. Right.

If the situations are equitable in your mind, Senator, then I cannot dissuade you.

The CHAIRMAN. All right, gentlemen. Thank you.

Senator McINTYRE.

Senator McINTYRE. Thank you, Mr. Chairman.

I have one question, Senator. Yesterday I was bouncing around the idea that a Director of Central Intelligence, finding himself being pressed by an incumbent President, should have some place to report improper requests. Who could he talk to? I am concerned that there seems to be no procedure in the law currently to cover the situation in

which a Director of Central Intelligence is approached by the White House and by the White House I mean the President and people who speak very closely for the President, and asked to involve this Agency in unauthorized and illegal activities.

Can such an approach be reported to Congress, and if so, to whom? Has the select committee considered this problem in the light of past abuses and are there any legislative proposals which would offer a solution?

Senator CHURCH. Senator McIntyre, we have given long and thoughtful consideration to a solution to this problem. As a matter of fact, the active investigation of the committee is over and we have now turned to remedies, one of which would be the creation of a permanent committee to oversee intelligence operations, intelligence activities of the Government. That committee could either take the form of a Senate committee; if the House were interested in establishing a House committee, or it could take the form of a joint committee if that were the judgment of both Houses.

In any case, we believe that the committee should have access to all of the necessary information and indeed that the law should lay upon the CIA and other intelligence agencies an affirmative duty to keep the committee currently informed.

A similar provision exists in the law that created the Joint Committee on Atomic Energy and that has worked very well.

Furthermore, it is my belief that such a committee should be told in advance of any significant new covert operation that is in active consideration by the Executive. I understand that Mr. Bush disagrees, if I read correctly his testimony yesterday. But if there is to be an answer to your question, then I think it is necessary that the committee that is selected to supervise intelligence operations must have advance notice of any significant new covert activity in order that it can advise the President directly of its disagreement if the committee is in disagreement with the President's proposed course of action, in which case, the President might wish to reconsider or to modify that course of action, or if he chooses to go forward with it as it is his constitutional right to do, then at least he goes forward at his peril because that committee, in my view, should also have control of the purse strings and a pattern of defiance would lead to the counteraction that normally takes place between the two branches.

I think this is all very necessary if the Congress is to play its constitutional role and if we are to assume our part of the responsibility for covert operations throughout the world, many of which have been catastrophes for this country.

Senator McINTYRE. Thank you, Senator. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Senator Goldwater?

Senator GOLDWATER. I have no questions. I am glad to yield to either Senator Tower or to Senator Scott.

The CHAIRMAN. All right.

Senator Scott.

Senator Scott. Thank you, Mr. Chairman.

I would commend the Senator for the testimony that he has brought before us. I think he has raised questions that should be considered by this committee. I do not necessarily agree with his conclusion.

Let me ask you, Senator, you made your views on Mr. Bush serving as chairman, Republican National Committee, only in part and I would say should we not consider the total man? Should we not consider the overall man and the question of integrity has come up and I do not believe there has been really any thought that the nominee is lacking in that respect.

Now, I served with Mr. Bush in the House of Representatives, as you know. He was a Member of the House for two terms. I believe his second term, even in Texas, he ran without Democratic opposition, either Democratic or Republican opposition. He sought to run for the Senate and there is where he ran into trouble.

Senator CHURCH. That is a question of judgment, Senator Scott.

Senator SCOTT. Well, he did not get enough votes. That was his difficulty. He must be familiar with international affairs and I would believe the CIA is involved in international affairs. It has been criticized, you know—you are more familiar perhaps in that field than anybody in this room—criticized for domestic intelligence. Here he has been our Ambassador to the United Nations and he has been our representative to Red China.

Now, you would consider all of these factors in making a decision?

Senator CHURCH. Oh, certainly, Senator. The man and his whole record should be considered. My point which, if I may, I will reiterate, is that his record has been an excellent record of political service which I think qualified him for any number of political positions.

Senator SCOTT. Well, now—go ahead, sir.

Senator CHURCH. I would just add that I do not take the position—I do not make the argument that no one who serves in political life could be considered or should be considered for the Directorship of the CIA, but if you are going to turn to a man of politics, then I think that it ought to be a man who has demonstrated in his political career that he can and is willing to stand up and take the heat even where it courts the displeasure of his own President.

There have been such men who have demonstrated that kind of independence and such men should not be disqualified from serving in this particular position. But I do think that Mr. Bush's political record has been not of that character. It has been one of good service but it has been certainly not one of muted partisanship and I do not know of an occasion when he has ever in the course of his political career stood or chose to take a strong stand against a major policy of the President.

Senator SCOTT. You would say that the Director of the CIA, during the time that he serves as the Director of the CIA, should not in any way be involved in partisan politics? Would that be a fair statement?

Senator CHURCH. Yes, of course.

Senator SCOTT. Now, I serve on the Committee on the Judiciary. We have been considering the President's nominee for the Supreme Court of the United States. Would you see any parallel between partisanship on the Supreme Court of the United States and partisanship on the CIA?

Would you say that a Justice of the Supreme Court of the United States should be entirely free of politics while he is serving as a Justice of the Supreme Court of the United States?

Senator CHURCH. Yes.

Senator SCOTT. Well, now, having said that, you will recall, and I am not sure of the date, it may be 1920, we had a sitting Justice of the Supreme Court of the United States, Charles Evans Hughes, who was nominated by the Democratic Party to be their candidate for President of the United States.

Senator CHURCH. I believe it was the Republican Party.

Senator SCOTT. Well, you are quite right, and Mr. Wilson was the Democratic candidate, so I misstated myself. But we did have an Associate Justice of the Supreme Court of the United States, later Chief Justice, that was the nominee of his party to be President of the United States.

Now, I would think that Chief Justice Hughes was one of our great Chief Justices and yet he interrupted his career by being a candidate for the highest office in our country.

Senator CHURCH. That may have been one of the reasons, Senator, he was defeated.

Senator SCOTT. Now, if we had a man of integrity, a man competent to be Director of the CIA, could not the same thing happen in his case? Is this a real disqualification and I do see a parallel here between these two situations.

Senator CHURCH. The idea with the parallel, as I see it, Senator Scott, is that the Chief Justice of the Supreme Court operates as the presiding officer over a third and independent branch of the Government. The Supreme Court has very real powers of its own and he sits in judgment and helps participate in the writing of decisions over which the President has no say.

But the Director of the CIA is an agent of the President and he is in quite a different position in relationship to the President than any Justice of the Supreme Court and the quality you must find in a Director is one that can assure members of this committee and the Senate and the country as a whole that he can, if necessary stand up to the President when the interests of the country require it.

Senator SCOTT. Mr. Chairman, I agree with the witness completely on that.

Now, I think that is the question before this committee.

Senator CHURCH. Yes.

Senator SCOTT. Can Mr. Bush, with his background, stand up, if need be, to the President of the United States. But is it not a fact that we should look at the overall man and see if he meets that qualification not merely the fact that he served as the chairman of the Republican National Committee?

Senator CHURCH. Yes. With that I totally agree and I would only say you should look not only to his past record but to his immediate future prospects.

Senator SCOTT. Thank you.

The CHAIRMAN. Thank you very much, Senator.

Senator CULVER?

Senator CULVER. No questions.

The CHAIRMAN. Senator Hart?

Senator HART. Senator Church, I would like to read the list of former CIA Directors.

Adm. Roscoe Hillenkoetter, came in, I think, shortly after the 1947 act was passed. Gen. Walter Smith; Allen Dulles; John McCone;

Adm. William Raborn, retired; Richard Helms; James Schlesinger; Gen. Vernon Walters, Acting Director; and William Colby.

Those are all the Directors of the Agency since the 1947 act was passed.

To your knowledge, had any of those individuals held political office?

Senator CHURCH. To my knowledge, none. They were either professional military men—they came from within the Agency and were professionals. Or they had held other appointive offices.

Senator HART. Is your objection to Ambassador Bush based on his qualifications, his integrity, or his performance in public life?

Senator CHURCH. No; I think I have made it clear that I have high regard for him personally, and I think he served in political offices with distinction. I have, however, observed that in the course of his career I have known no time when he has ever chosen to take serious issue on a major matter with the President of his party in any of his positions.

Senator HART. To what degree is your concern based upon Mr. Bush's own political background in the context of this present administration or upon the precedent which is established of appointing for the first time in the history of the Agency someone with a background in elective office.

Senator CHURCH. Senator, it is both. If one were to choose a time for departing from the custom, the pattern that has been so clearly established with other directors, to choose a man who comes not only from a political background, but one of a highly partisan character, certainly no one can gainsay that fact that the national chairman of the Republican Party is about as partisan a political position as anyone can hold in the country.

For that reason, I think Mr. O'Brien, if a Democrat were President, Mr. Larry O'Brien ought not to be nominated to be Director of the CIA. Of all times to do it, this is the worst, right at a time when it is obvious that public confidence needs to be restored in the professional, impartial and nonpolitical character of the agency.

So, we have the worst of all possible worlds. That is what this committee is faced with. It has nothing to do with the personal traits of the nominee.

Senator HART. Would your view of Mr. Bush's appointment if he were to agree, and I have no reason to believe that he would, to serve a fixed term?

Senator CHURCH. Yes, if that fixed term was long enough to do his job in the CIA and extend it past the next election. There is another consideration here that this committee has to take into view. Do you really want a caretaker for this Agency that will serve only a few months?

I think he needs to make this clear, and he has not, I must say. He has left the door open in his statement and has based it upon his political birthright. Well, his political birthright does not include being Director of the CIA. It includes his right to run for public office, to be sure, but that is quite a different matter than confirming him now for this particular position.

Senator HART. Do you believe that this committee or the Senate of the United States has any real standard, based on past practice or tradi-

tion, by which to judge what a good CIA Director should be, and if so, what are those standards?

Senator CHURCH. Well, if the Senate by now has not adopted those standards, it should. I think that in the past the fact that Presidents have chosen men that either have come from within the Agency or professional men or men from the business-world of proven abilities, has not ever put this kind of question to the Senate so directly as it is now placed before the Senate in connection with this particular nomination.

So, we will set the standards and the question is whether we set a high one or whether we set a low one, because in the future, the Agency must live with that standard.

Senator HART. But I take it, it is your judgment that those standards should include complete nonpartisanship.

Senator CHURCH. Yes.

Senator HART. And would you adopt the same position were the parties reversed?

Senator CHURCH. Yes.

Senator HART. Do you think this committee has either the right or the responsibility to inquire into a future Director's views on certain matters of intelligence policy?

Senator CHURCH. Yes.

Senator HART. His attitude toward covert operations?

Senator CHURCH. Of course.

Senator HART. Toward informing the Congress—either its present committee structure or any future oversight committee—of activities going on in the intelligence community?

Senator CHURCH. Certainly so.

Senator HART. Those are all the questions I have.

The CHAIRMAN. Thank you, Senator, very much.

Senator Church, I want to thank you on behalf of the committee for coming today. I think your presentation has been worthwhile and intelligently presented.

I said in my opening statement yesterday, written on the back of an envelope the night before, that I hoped these hearings would point out to the President—any President—and make him more conscious of the awesome power and responsibility that the statute gives him, and, to some degree, if we are going to have an agency of this type, would point out and would underscore the responsibility, not only to personally supervise the exercise of this power in the hands of the head of the CIA, and some of his subordinates, to make them obvious of their responsibilities.

So your statement on the independence, being independent of the President, certainly emphasized his relation and his responsibility.

But, just to get that on its four sides now, as far as being totally independent of the President, the President selects the head of the CIA and our law—as a matter of fact, the money is appropriated to the President as you know, and the President, by and large, sets the mission that the head of the CIA is going to perform, the mission or the policy or whatever you might call it.

The President sets the original steps and is held responsible in a large way, for the outcome. So, I think when we talk about being independent of the President, it is not altogether independent. What you were getting down to was independence at the ultimate level there when something wrong was proposed. Is that right?

Senator CHURCH. Yes, Mr. Chairman. Of course, the Director of the Agency is subordinate to the President and must take the President's orders and must implement those orders; but the reason for having the Director—and the Agency is only as self-assertive as the Director. That is, I think, a maximum—we can all agree upon. The reason for having an agency like the CIA is so that the President can turn to a disinterested source.

Now, you may have many pressures on the President to do something that looks politically favorable. And yet, the Agency may have facts that are displeasing to the President, but facts which persuade the Director that to take this course would be disastrous.

Now, you have got to have a Director, under those circumstances, who is not thinking about the next election or a position on the ticket, but who is going to stand up and say, even at the risk of courting your displeasure, Mr. President, it is my responsibility to tell you that this course you want to take, no matter what anybody else says, is wrong. It is going to fail. And these are the reasons. I must emphasize them as forcefully as I can.

The CHAIRMAN. That is the point I was trying to emphasize too, Senator. When you get down to that level, it depends, does it not, on the man's character and integrity, after all. I mean the Director of the CIA. That is what is going to determine his going one way or the other, is it not, the basic character, integrity, and dedication?

Senator CHURCH. Mr. Chairman, you have lived longer than I have and you know there are certain tests that are hard for any man to meet. I would plead with you not to place the Director of the CIA in a position where he is politically compromised. Don't do that and expect that of any man because even subconsciously his judgment could easily be affected. It is not a question just of integrity. I do not think Mr. Bush would ever intentionally do anything that in his judgment would be a serious disservice to his country. But these are circumstances that are wrong and unless they are clarified, I think no man could perform in that office in a proper way.

The CHAIRMAN. Well, there might be a degree of integrity or quality of integrity like that old saying we used to have about 14 carat gold or whatever it is. Anyway, it comes down to those basic qualities that are in a man that cause him to put up a flag when he thinks there is wrongdoing. I think that is what we have to guard against.

Talking about laying down standards, if I could write it out, it would be "beware." Beware of the President or anyone who comes to you with ideas and courses that you think are basically wrong.

Do you have anything further you want to say?

Senator CHURCH. Nothing further.

The CHAIRMAN. Thank you.

Senator GOLDWATER. Might I make just one comment before you leave?

The CHAIRMAN. All right, Senator.

Senator GOLDWATER. The comment about a man having the strength to speak up to a President. I can tell you from personal knowledge that Mr. Bush did not want the job as chairman of the Republican National Committee and it took a lot of persuading to get him to take it.

I can say further that he went through probably the toughest time that any man in any office close to the President will ever go through, almost hourly contact about whether or not the President should go. I think he was the first man to my knowledge to let the President know he should go. I do not know of a tougher decision.

Senator CHURCH. Thank you.

The CHAIRMAN. All right, Senator. Thank you very much.

Senator THURMOND. I have one more question.

The CHAIRMAN. Senator Thurmond.

Senator THURMOND. Isn't it true that the difficulties of the CIA over the years have occurred while CIA was under the leadership of so-called professional intelligence persons and not those with so-called political background?

Senator CHURCH. Senator, I have not made any argument for limiting the selection of the Director to professional men. It is true that the CIA did get into great difficulty when professional men were Directors and I have not argued that no one from political life should be considered.

I have tried to lay out as clearly and as lucidly as I can the standard that I think should try to obtain.

The CHAIRMAN. Thank you very much, Senator.

Mr. Bush, if you will come around here please. In keeping with my announcement of yesterday, members of the committee, we will proceed with those who did not have a chance to ask questions yesterday. But first, as you know, the Senate Democratic caucus has adopted a policy with respect to every nomination which requires that every nominee be asked: "Do we have your commitment to respond to requests to appear and testify before any duly constituted committee of the Senate? Will you respond for the record."

Mr. BUSH. Yes, Mr. Chairman. You have my commitment to comply with any such requests.

STATEMENT OF MR. GEORGE BUSH—Resumed

The CHAIRMAN. Senator Culver, I believe you are the first one according to the list.

Senator CULVER. Ambassador Bush, I do not intend to submit you to extended interrogation. I have been acquainted with you over a period of several years, have enjoyed your friendship, and know of your keen devotion to public and political service. As a fellow politician, I admire your stamina and versatility. I am also in agreement with you on many of the points of policy which were raised in the committee meeting yesterday.

I think, therefore, it is only fair that I announce to you now in this open forum of my intention to vote against your confirmation for this office. There are few public positions, including the Vice-Presidency, for which I would not consider you an altogether suitable choice. But I do not feel that you are the proper nominee for the directorship of the Central Intelligence Agency at this juncture in its history and at this moment in our national life.

I hold no dogmas about what sort of person should hold this office. Indeed there may be real advantages in having a Director who has not been an intelligence professional. But I do know that the intelligence

community now requires leadership of transcendent qualities of disinterestedness and the power to evoke public confidence.

It is not just a matter of finding a person who enjoys this President's confidence and the amiable assent of the Congress. The next Director must be a builder, not a curator. He cannot project even the appearance of partisan bias. He must command the allegiance of those who work in intelligence and the complete confidence of a nation that depends on this clear devotion to high standards of performance and fidelity to constitutional principles.

I believe that we have no right to deprive you of your constitutional birthright to be a candidate for Vice President or any other office. For me that is an issue that obscures rather than clarifies our obligations. But I do think it is fair to suggest that the nominee for the CIA now or in the future ought to be a man or woman whom the next administration would consider as its Director.

The Chairman said yesterday that it would probably take a year for any new CIA Director to learn his job well. That just strengthens my view that any nominee for this post should be someone who would be considered, qualified, independent, and nonpartisan enough to be continued in that position by a new administration of either party.

We have learned in the case of both the FBI and the CIA that Directors should not become so entrenched that they become stronger than passing administrations. But we have learned too that constant turnover or easy susceptibility to political changes is also destructive of the office.

We are less than a year away from an election. Your nomination, through no fault of yours, inevitably takes on political overtones. There is a very strong chance that a year hence we will have yet another nomination to this office, and your incumbency will have been purely transitional.

Yet we are in need now of a Director who can restore intelligence to its rightful and proper place in our national security system. Unfortunately, the way this nomination was made and the public and partisan offices you have held will not make that task easier.

Therefore, Mr. Bush, it is with much regret and without the slightest shadow on either your character or your qualifications for any other positions, I shall vote against your confirmation.

Thank you very much, Mr. Chairman.

The CHAIRMAN. All right, Senator.

Senator Scott, that brings us to you.

Senator SCOTT. Thank you very much, Mr. Chairman.

Mr. Bush, I am sorry, I was not able to be here yesterday to welcome you before our committee. I do so now. I think that Senator Church has raised some serious questions and I believe we ought to talk about those and get your responses.

Now, can you provide factual nonpartisan information to the President in view of your total, overall background. Is there anything in the past or are there any aspirations in the future that would cause you not to provide entirely factual, entirely nonpartisan information to the President in the event that you are confirmed to be Director of CIA?

Mr. BUSH. No, sir. I can provide that information and I am confident that I will have the access to see that the product of the intelli-

gence community is directly provided to the President of the United States.

Senator Scott. Well, now, we know that we have had a committee— Senator Tower on this committee sits on the committee that has been investigating the CIA. Senator Church chairs that committee. And it has been holding investigations and the prestige of the Agency has suffered in recent years and its activities have been gone into rather thoroughly.

Now, I would believe that we need someone to head the CIA that can help reestablish its credibility, and its prestige. How would you fit into that picture? Could you do this type of thing, or would you bring discredit because of your former association as the chairman of the Republican National Committee?

I believe Senator Church has pretty well put that question before the committee and I would just like for you to respond to it and tell us in your own words what your feeling is with regard to the prestige, the integrity, the impartiality of the CIA and the reliability of it.

Mr. Bush. Well, I do share Senator Church's view that the Agency must be devoid of partisan politics and I tried to make clear to the committee yesterday—obviously not to his satisfaction—that I was capable of doing that. Senator Church has elected to use the analogy of the political figure from his own party, Larry O'Brien. I think there is some difference in terms of qualifications. Larry O'Brien did not serve in the Congress of the United States for 4 years. Larry O'Brien did not serve, with no partisanship, at the United Nations for 2 years. Larry O'Brien did not serve as the Chief of the U.S. Liaison Office in the People's Republic of China. Senator Church mentioned that maybe you need somebody from business. I ran a successful business, started it, ran it, managed it, and I think did reasonably well in it, but at some point I would wonder when does one, because he served his party in difficult times have enough of a record so that people can judge the overall record. And I would not, if I were making determinations, disqualify Senator Jackson because he was the chairman of the Democratic National Committee, because he served his party as the chairman of the Democratic National Committee.

And I would only urge you, Senator Scott, to consider the overall record and then hopefully figure that maybe my character and integrity, which I hope I have demonstrated, will add up.

I understand the concern with "perception." I understand it. But, as I said yesterday and I repeat, I hope that the committee will judge me not on the perception of others and not on the editorials that were selectively read here today, but on an overall record that I am proud of, and that I don't care what action this committee takes, I will never apologize, and that is not what Senator Culver is asking me to do for serving in a partisan position.

Senator Church said that there was—my record was devoid of demonstrable independence. I wrote a letter to the President of the United States asking that he resign, the chairman of his own party.

Now, I submit for the record that that is demonstrable independence. I did not do it by calling the newspapers and saying, "Look, I am having a press conference. Here is a sensational statement to make me, to separate me from a President in great agony."

But I did it and I think there are examples that people who served with me on the Republican National Committee could provide that would show where I resisted pressure from the White House.

I will readily concede that it was not done a la kleeg lights and press conference, but I think that even in that highly partisan job, I demonstrated, I hope I did anyway, a certain integrity that I felt my part in those difficult times was entitled to.

So, I understand the concern, Senator Scott, and I can only tell you I will do my level best.

Senator SCOTT. You will do your level best to serve in a completely impartial manner?

Mr. BUSH. Yes.

Senator SCOTT. And help to reestablish the credibility of the CIA.

Mr. Bush, there has been some question as to the secrecy within the CIA and the fact that even Members of Congress are not knowledgeable about its activities. Could you comment with regard not to publicizing all of its activities before the entire world but do you have any concept as to how you might let the Congress be informed as to the activities of the CIA without unduly handicapping it in its work, work that it is charged with performing?

Mr. BUSH. No firm recommendations other than general support for the recommendation of the Rockefeller Commission of a joint committee, but recognizing that this is the sole prerogative of the Congress itself. But I would say that I believe my relationship, my training and my background would be helpful in keeping the Congress informed, which certainly would be my intention.

Senator SCOTT. You would intend to keep the Congress and particularly this oversight committee informed.

Mr. BUSH. Yes, sir.

The Hughes amendment specifies as I understand it this, relating to certain kinds of activities, and I would faithfully follow the law in that regard.

Senator SCOTT. Well, now, could you tell us what you see are the advantages and disadvantages of having a career intelligence individual as Director of the CIA as contrasted with one who has not worked in this specific field, and I am assuming, and you correct me if I am wrong, that you do not have an intelligence background. You have many other attributes.

Mr. BUSH. That is right. My connection with intelligence has been in two foreign affairs posts in which I dealt with the product of intelligence. I know something about it. I know many of the individuals that involve the agency and I should say here I have great respect for people that devote their entire lives to service of the CIA and I might take this opportunity to say I have great respect for Bill Colby. He has treated me in an extraordinarily difficult situation with innate civility and decency and I want to get that on the record.

But I have no feeling that it should be spelled out, that you need a career man or that you need an outside person at any given time. I have great respect for them and I would say that both can serve and both can serve admirably.

Senator SCOTT. Well, now, we had before us some time ago Mr. Kelley to be Director of the FBI, Mr. Kelley who is a former FBI

agent, former chief of police, a man who spent his lifetime in this field, and I am not in any way asking you to comment on his capabilities. I think that would be improper. But you have an entirely different background. Do you feel that you can perform the duties of that office as effectively as someone who does have a lifetime of service in the intelligence field?

Mr. Bush. Clearly, sir, I have a great deal more to learn in terms of the methodology and the day-to-day workings of intelligence, but I believe I could. You see, I have a perception that without discrediting any of the individuals who ran the CIA, that there has been demonstrated from time to time or in at least some of the things that went wrong a lack of political sensitivity.

Now, I am not saying that the only person that can cure those deficiencies if they existed is somebody who has been in politics. I feel confident because of what I feel are sensitiveness to the public derived from partisan polities that I could do that job.

Senator Scott. Let me ask you one final question, if I may.

There has been mention of the possibility of your Vice Presidential aspirations. Frankly I am not sure Governor Reagan would choose you as a running mate [laughter] but let me ask you, in the event of your confirmation, even if you have further political aspirations, can you operate in the position as Director of the CIA as if you were not interested in this further office?

In the work you do from day to day would you have part of your time spent on running for Vice President and part of it being in charge of the office, or could you devote your full time and attention to being Director of the CIA?

Mr. Bush. I would scrupulously avoid partisan politics in that case.

Senator Scott. Is it your answer that you could devote full time and attention to being director of the CIA?

Mr. Bush. Yes, sir. I have done it in two nonpartisan jobs and I will do it again if confirmed by the Senate.

Senator Scott. Thank you, sir.

The CHAIRMAN. Gentlemen of the committee, for your information may I outline the program that will come before us this afternoon.

We all know we are in what we hope is the last week of this session. At 2 p.m., I have set the hearing on the nomination of Mr. Robert Ellsworth, nominated to be the Deputy Secretary of Defense. There is a law that permits a second Deputy, Mr. Clements, the present Deputy Secretary of Defense will be designated as principal Deputy Secretary of Defense. We have the nomination before us, too, of the Secretary of the Air Force, Mr. Thomas C. Reed, which has been here the required length of time.

The same is true as to Mr. William I. Greener to be Assistant Secretary of Defense for Public Affairs, and Mr. Matthew J. Perry, to be a judge of the court of military appeals. Of course, we have this matter of Mr. Bush's nomination to conclude, and we may have some other witnesses.

Now, returning to the examination of Mr. Bush, that brings us back to Senator Leahy. Did you finish yesterday with the points you had? I think I called on you the second time. You indicated you had additional questions.

Senator LEAHY. We were on the question of the Inspector General and most of those questions Mr. Bush answered.

As I understand it, you are very much in favor of upgrading the position of inspector general. Would you basically be in favor of following the recommendations of the Rockefeller report on that?

Mr. BUSH. I believe I would have to review what they were but I believe I would, which gave him the right to go to the President's Foreign Intelligence Advisory Board (PFIAB).

Senator LEAHY. And the other thing—I must admit I was out part of this morning and you may have covered this—but you spoke of writing a letter to President Nixon asking him to resign. When did you write that letter?

Mr. BUSH. Just at the very end. Just after the final revelations of the last tape.

Senator LEAHY. And that was at a time when that was pretty much the general feeling within the Republican Party; was it not?

Mr. BUSH. It might have been the general feeling of the Republican Party. I am not sure it was the general feeling of the President at that time. I have no way of knowing.

Senator LEAHY. I am sure the President did not give an indication he was very eager to give up his service, I grant you that.

So it was right at the very end.

Mr. BUSH. Yes. I do not have the exact date, but it was right—just before he resigned.

The CHAIRMAN. All right, gentlemen of the committee, does anyone want to ask any more questions?

Senator GOLDWATER. I have a question.

The CHAIRMAN. All right, Senator Goldwater. Senator Symington will be next.

Senator GOLDWATER. The condition that the CIA finds itself in today is not the fault of its Directors. It has been the use, the misuse, and the abuse of Presidents and all the committee meetings I have attended as a member of the intelligence committee, I cannot come up with anything that could condemn the CIA unless you might say it was following the orders of the Commander-in-Chief and that is a tough one to crack.

The CHAIRMAN. All right. Thank you, Senator Goldwater.

Senator Symington.

Senator SYMINGTON. Mr. Ambassador, I have a question as a result of the statement of Senator Church, for whom I have respect as I have for you.

In my private business career I was known as a sick businessman. One would sort of tear a place up, then watch it operate clean for a time; and after that there is a second period of time watching it operate raw; then a third in which one hopes the business would really roll. This I did I think some six times.

If you were a Vice-Presidential candidate in the next election, in a few months, you would have to leave an organization of many thousands of people, an organization which we all know currently has low morale. You would really have but a few months to get into it before you became a Vice-Presidential candidate if chosen by the President.

I am not accusing anybody of setting you up, but it seems to me anybody who has had experience with large organizations, whether

private business or Government, would know that reorganization takes extensive time. You would have to study the people, heads of the departments, and so forth, and it would take months before you could come to firm judgment.

That has been my experience. If you took this job, then shortly were tapped for Vice President, by that time there is no possible way, as I see it, that you could really get to the core of the problem of restoring morale and proper position to the Central Intelligence Agency.

Would you comment on that?

Mr. BUSH. I think I could agree, Senator Symington, that one could not do the entire job in 6 months, 9 months, whatever the period is, but as I indicated yesterday, I think—or awhile back—I think one would have to be hallucinating if he thought this was a steppingstone to becoming the Vice President. I was not motivated that way in accepting this job—certainly, sir, if I can put it in these terms, can a person complete the job in terms of the restoration of morale, in terms of reestablishing whatever needs to be done in terms of confidence with the services around the world, and such? I do not believe it could be finished in that period of time, but I would have to also concede that my chances of being Vice President, if there are any left at all, if I am confirmed for this job would be insignificant and that I certainly—

Senator SYMINGTON. That being true—

Mr. BUSH [continuing]. Certainly they would be diminished further when I keep my word and stay out of politics and do not campaign and do not give political speeches and disappear from the political scene.

Senator SYMINGTON. I have known well or fairly well every Director of the CIA since its beginning, before that General Donovan, head of the OSS. Surely you could not complete your work by the time the Vice Presidency came up. It is going to be a difficult job on any basis.

I do not see why, therefore, and this has nothing to do with your character, your future, your integrity—why you do not say if you got this job you would stay on at least 2 years. I have been around this agency in one way or another for a long time; and believe it would take at least 2 years to get its proper position reestablished in the Government.

Mr. BUSH. That is certainly my intention to do that and the only thing I cannot give you an honest answer to is if this is the way that would evolve—not Senator Church's opinion, because I gather he would vote against me anyway, and I do not think that is what troubled Senator Culver.

In the final analysis, without having done anything I was offered the nomination kind of on a silver platter. I cannot tell you that I would not accept it and I frankly do not think in an office where you serve at the pleasure of the President that that should be a criterion for any office, and I just—that is just my concept of service and I hope I am motivated in my public life by service.

Senator SYMINGTON. I respect your thinking and hope you will give some thought to mine.

The CHAIRMAN. All right, gentlemen.

Senator Hart.

Senator HART. I would like to note for the record that you were not asked by Senator Scott whether you would want some place on his Reagan ticket. That is a separate issue.

You stated yesterday among other things that you oppose making public any part of the CIA budget. Is that correct?

Mr. BUSH. Yes, sir.

Senator HART. How do you square that with the first article, section 9 of the Constitution which says that no money shall be drawn from the Treasury but in consequence of appropriations made by law, that a regular statement of account of the receipts and expenditures of all public money shall be published from time to time?

Mr. BUSH. I have not reviewed the legal provisions of it but I have noted very carefully the positions of previous Directors who have appeared before this committee as having done a responsible job. I know they take very seriously their obligations under the National Security Act to protect their sources and protect the security of the Agency, and without having gotten a legal brief on it I would simply defer to the collective wisdom of those who I believe most people feel have done a remarkably good job over the years—they feel that if you begin making public parts of the budget of this Central Intelligence Agency that that will lead—except to the appropriate authorities now existing, where disclosure is done—that will lead to great complications for our intelligence gathering and or intelligence capability and in keeping secret properly the things that should be kept secret.

Senator HART. But your conviction would wane if Congress ordered otherwise?

Mr. BUSH. As I hope I indicated yesterday, Senator Hart, I would abide by the law.

Senator HART. On the select committee we came across something called floating authority. If a Director felt that he had received authority from the President to carry out certain operations, and the Director left office—the next Director came in and was briefed on ongoing operations and assumed that the authority that the previous Director had received from the President or even a previous President floated to him.

Do you have any reaction to this as far as walking into ongoing operations? Would you, for example, insist that President Ford grant you authority to carry out certain operations that are going on?

Mr. BUSH. Given the nature of the controversy and my very limited knowledge of it, I would want to immediately know—I assume you are talking about covert operations and maybe other operations as well, and see that they were properly reviewed and properly authorized. If I had enormous problems with them, I certainly would feel no hesitancy in taking that up in National Security Council or to the President depending upon what the magnitude of the problem was. I think the point you raise is a very important one and I would want to be sure that day I walked in that I not only knew what was happening in these rather sensitive areas but that if the program raised real doubts in my mind or reasonable doubts in my mind that I would then do what was necessary to resolve these doubts which is the kind of consultation you are talking about.

Senator HART. You came out foursquare against the assassination of foreign leaders, but on the other hand you left open the possibility of conducting covert operations to overthrow foreign governments. Even though you agreed we should tread lightly on constitutionally and democratically elected governments, you did leave open a substantial loophole for overthrowing governments.

Now, what we found out with regard to foreign assassinations was that of the five or six that we were involved in, only two involved direct attempts to assassinate a foreign leader. The other three or four involved attempts on foreign leaders that flowed from or resulted from our participation or encouragement of coup operations in those countries or dissident operations.

Now, how do you reconcile that?

Mr. BUSH. Well, I would have to study those cases very carefully but I can see a system where democracy has been democratically installed—suppose you had another Hitler come in who had been democratically installed and a group within his country tried to do something. And all your European allies were extremely concerned, and all of them urged the United States to give covert support rather than some kind of declaration of war. I would not want to rule out that kind of operation and I do not think we should tie the hands of this country in the face of that kind of a threat.

Senator HART. That is the easy one.

Mr. BUSH. It is an impressive one, though, Senator, and from it can stem many, many others in my opinion.

Senator HART. General Schneider in Chile?

Mr. BUSH. I have not studied the Schneider case enough to know, but as I understand the Schneider case in finality the United States did not do that: is that correct? I think so.

Senator HART. Well, the problem I am posing there is that we are involved in some covert operations in governments—and they are not Hitler kinds of situations at all. We have encouraged or supported coup d'état attempts that have resulted in assassinations of foreign leaders and in this case the equivalent to Chairman of the Joint Chiefs.

The point I making, is you cannot come out against assassinations and leave open the possibility of covert operations that may lead to assassinations. That is too easy.

Mr. BUSH. It happens to be the way the world appears. The world appears to me to be that way.

Senator HART. And that is the kind of world you want to perpetuate?

Mr. BUSH. No, but I have great concern from having lived in a rather disciplined totalitarian society for a while, I have a concern about the world as we really see it and I do not believe that some antagonists—and I am not talking about the people of the Republic of China—play by the Marquis of Queensbury rules when you get into this business. I think we have a certain commitment to morality but I do not think we should close the door forever on covert activity which is where this discussion appears to me to logically lead.

Senator HART. There are all kinds of covert activity. I am specifying attempts to overthrow governments of other countries.

Mr. BUSH. And I said I would not suggest that we rule that out forever. I suggest we tread very, very carefully. And I have given

you an example that I do not know your committee would agree with but I have thrown the example of a Hitler and you say that is very simple, but unfortunately I think it makes the point that we should not rule out that kind of thing.

Senator HART. In the 6 or 7 days you have been back, have you been briefed by Director Colby?

Mr. BUSH. I have had one 20-minute talk with Director Colby, but have not been briefed by him.

Senator HART. Have you read the Rockefeller Commission report?

Mr. BUSH. Yes, I have.

Senator HART. Have you read our assassination report?

Mr. BUSH. Not entirely but almost entirely.

Senator HART. I think what is disturbing, and it is not your fault at all, but something is wrong with the system, that you would come back and you opened yesterday by saying you were fatigued and suffering from time distances and answered a large number of questions by saying you did not know, you did not know what the practice had been, you did not know what the policy had been.

I think before the Congress of the United States, the Senate of the United States, confirms people for jobs like this we ought to provide for an interim period where you learn what the job is, what the agency is doing, and then you can respond to fairly profound policy questions that we have to answer in our minds before we vote for you.

I have not been here long enough to know how long this has been going on, but I think it is terribly unfair not only to us but to the people of this country to be asked to confirm somebody for a situation, probably one of the most sensitive positions in our Government, who has had 6 days back in this country, has missed most of the debate, and cannot answer most of these policy questions on the ground that you just are not familiar enough with the policy position.

I do not take that out on you again, but I think it is a terrible position.

Mr. BUSH. Well, I would only say that the very nature of this CIA perhaps makes this particular agency more prone to have that problem than in others because of the secret nature of a lot of the information to which your committee has had access but to which I have not.

Senator HART. I am not talking about secret information. I am talking about policy questions—the role of the NSC, the role of the 40 Committee, your attitude toward budgets, and a lot of other things that are not secret and that we ought to talk about there and should talk about before we talk of confirmation. I think that is what greatly disturbs me.

The CHAIRMAN. Gentlemen, I am sorry, but your time is up.

Senator Jackson has not had a chance to ask any questions yet.

Senator JACKSON. I have been delayed. I want to say at the outset that I have the highest personal regard for Ambassador Bush. Those of us who had the privilege of serving with his father on this committee certainly admire and respect the integrity of the Bush family; and I respect yours, Mr. Ambassador.

I have a couple of comments that I want to make, Mr. Chairman, and—

The CHAIRMAN. All right, Senator.

Senator JACKSON [continuing]. And get a response here.

It seems to me, Mr. Ambassador, that President Ford has put you in an awkward and very unfair position. I think the President should make clear that he will not ask you to be on the 1976 ticket if he gets the nomination. I believe, very candidly, that this committee would be defaulting on its duty if at this stage, given all the problems with the CIA, we put in a Director who may serve for less than a year.

Can you assure the committee that you will serve as CIA Director at least until January 19, 1977—that is, at least 1 year? Now, I ask this question because the chairman and I and others have repeatedly asked of nominees will they serve out their term or serve a reasonable length of time in terms of the needs of the job. I think the chairman has taken a very strong position on this. And I would like to have your comments.

Mr. BUSH. I serve at the pleasure of the President and there is no term, as I understand it, Senator, for this job and I have every intention of serving more than a year in this job.

Senator JACKSON. That is your intention but, you see, there is a cloud over this. Do you think it would be good for the CIA that we confirm a Director who might be out, say, this summer—who would be in for just 6 months?

Mr. BUSH. You mean if you knew for sure—is the question based on the predicate that you knew for a fact certain that the Director would only be in there 6 months?

Senator JACKSON. We do not know what you will be doing under the circumstances, as I understand your statement yesterday, that if called upon to be on the ticket you would accept and—

Mr. BUSH. That is not exactly the way I phrased it. I said I could not say I would not accept but it is a semantical difference and I further said, Senator Jackson, that I did not think any American should be asked to, for that high service, to say in advance that he would not do that, would not accept an office of that dimension that he had not campaigned for, where he laid politics aside at the very outset. I just feel that is a very strong principle but I can understand your question and I—

Senator JACKSON. Well, my concern here is totally impersonal. I am looking at the long tradition of the CIA in the area of national security. I asked this of Mr. Rumsfeld, but the CIA is even more sensitive in this particular area. I partly sympathize with you and your predicament here. But, you know, what if we were going through this same line of questions, same set of facts, for the Director of the FBI? And the CIA is really in many ways more sensitive than the FBI.

Mr. BUSH. But my point, sir, yesterday was that no person for confirmation to any office that I know of—maybe we can research one out—has ever been asked to foreswear that kind of political service in the history of this country.

Senator JACKSON. Do you think it would look good for faith and confidence in the CIA if, come this summer, you should leave the CIA and be a candidate? Would that be constructive for the career service, and for the host of sensitive issues that we have seen aired in connection with the CIA?

Mr. BUSH. I think, sir, it would depend on the type of job in that very short period of time I have been able to do. If I indeed had kept my word, if I had indeed had some part in restoring morale, if I indeed had cooperated fully with the U.S. Congress, if I indeed had objec-

tively, in what might be a different situation or two, presented the product of the intelligence community to the President of the United States without knuckling under on whatever the issue might be to State Department or Defense Department. I think then I should be judged on the product of my work. I think that is the way I would be judged.

When I went to the U.N., which is not exactly the same analogy, there was understandable concern expressed editorially and when I left I think they felt that I coped with that job. I know they felt I did it in an impartial fashion and I cannot say I finished it in something around 2 years; but I think I did it reasonably well and I would think this would be the criteria that I would ask to be judged by, performance, admittedly in a very short time frame.

Senator JACKSON. But this is the first time we have nominated someone with a long political background to head CIA.

Mr. BUSH. But, Senator Jackson, my argument on that one, and we had some of it yesterday, I had 3 years in foreign affairs, I had 4 years in Congress, and I had 2 years as chairman of the party and I think that is a fairly good—and so many years in business, running business establishments—so I think that is a fairly good balance in terms of qualifications.

Senator JACKSON. My basic concern here is the awkward and unfair position you are being put in by the President.

Let me ask you, have you had any understanding with President Ford that you will not be asked to be on the 1976 ticket if he gets the nomination?

Mr. BUSH. No, sir. All I know about that is that he said—he did not say I was being considered as was represented here this morning. I think he said Mr. Rumsfeld and I should not be eliminated from consideration, is the way I recall it.

Senator JACKSON. To be very candid about it, it seems to me the President has put you in a very awkward position. The need here is really to save the CIA. I do not need to recite what the Agency has gone through. It has been a very rough period. And it seems to me that the judgment of the President in this matter is at best imposing a terrible burden on the CIA and on you. It raises a real problem here of nominating someone, who is a potential candidate, for service of less than a year.

This is what really troubles me because I have the highest regard and personal respect for your ability and above all, your integrity. Mr. Chairman, it seems to me that the President should assure this committee that he will not ask Ambassador Bush to be on the ticket.

Let me now ask you some specific questions. Suppose a SALT-type agreement signed by President Ford is failing through noncompliance by the Soviets on the eve of the election. Would you call the facts as you see them?

Mr. BUSH. Yes, sir. I tried to establish yesterday that I view it as fundamental that the product of our intelligence be presented without bias, without policy considerations, to the President. And I have been assured that I will have the kind of access to have a personal—such presentation if indeed it is warranted.

Senator JACKSON. Can you assure us that there would be no delay, no purposeful ambiguity, no fuzzing of the facts—that you would get the

truth to the best of the ability of the CIA, and that you would make known the truth to the President and to those in Government, including Congress, who need that kind of information to do their job and protect the national security—no matter how embarrassing it might be to the administration at that time?

Mr. BUSH. I would certainly do what is—would be necessary to get these views to the President and I would comply fully with the law in informing the Congress.

Senator JACKSON. Without delay.

Mr. BUSH. Without delay.

Senator JACKSON. And no ambiguities.

Mr. BUSH. No ambiguities, but I should make this point clear, that every time there is a difference as between intelligence estimates or every time there is some difference within the, say, estimates that we present and the estimates that are presented through another department, say Defense, the minute that hits I think the President or the administration is entitled to—

Senator JACKSON. I did not say go public.

Mr. BUSH [continuing]. To iron out differences before these things are aired, and I would carefully comply with the law in informing the Congress.

Senator JACKSON. Yes. We know there are variations on intelligence estimates; and all those things are to be reported and—

Mr. BUSH. And they would be reported, sir.

If they are required—

Senator JACKSON. That is what I am saying, sir. I am not talking about what your final judgment is, but about facts that have come to your attention or information that has come to your attention. Obviously the CIA may have one view, the DIA may have another, and State another. But what I am talking about is whether, right on the eve of an election, facts came to your attention, would you nevertheless disclose all of that information to the proper officials of the Government, executive and legislative?

Mr. BUSH. I would disclose—yesterday I made clear that there are some things that are—I think are—yes, I would disclose to the proper authorities in the Congress what was required.

Senator JACKSON. Even though you had not come to a final decision on the significance or what to do about them?

Mr. BUSH. But let me make one thing very clear, Senator. It would have nothing to do with whether there was an election coming up or not as to whether I faithfully fulfilled these obligations.

But as I appealed yesterday, I hope the judgment will be made not on a selective column but whether I have the character and integrity to fulfill that commitment.

Senator JACKSON. You see, my concern here obviously is the awkward position you have been placed in. It is hard enough to be the head of the CIA and we are departing here from the tradition of the Agency in the selection of people in connection with this nomination at this time when—let us be candid about it—there is a lack of public confidence—we have got to admit it—in both the CIA and the FBI. And I think it puts you in a very difficult position.

Mr. BUSH. I agree, sir, but I think it makes it even more incumbent on me to do my level best to keep my word and if you feel as you

generously said that I have the character and the integrity, I would hope that you would give some weight to that vis-a-vis the question of appearance.

Senator JACKSON. Yes.

But, you know, what is really troublesome is that the public needs confidence in our intelligence efforts now as never before. It is a crisis. When we were in a crisis previously the Democratic President, Mr. Roosevelt, brought in Mr. Knox, and Mr. Stimson, and Mr. Lovett, who was with your father's old firm, and in the area of security, the OSS, General Donovan, a distinguished Republican was brought in; and likewise in the immediate postwar period General Vandenberg was heading up the interim intelligence agency until the admiral took over.

And the long list of CIA directors that has been put in the record, Mr. Chairman, is one in which the whole appearance of any possible partisanship has been removed.

Ambassador Bush, these are just thoughts that go through my mind in a very candid and objective way and I am trying to be as fair as I can. It really bothers me out of the great respect I have for the need for a bipartisan policy in the area of national security. At this point I can only conclude by saying, I think you are in a very awkward position.

Mr. BUSH. I concede that, I do not have total blinders on but the thing I do not feel and would like to reiterate is that because a person has served his party, and you should be perhaps sensitive to this as I, that that assignment should be homed in on and that this should be a disqualifying factor.

Senator JACKSON. That is why I turned down the Secretary of Defense job.

Mr. BUSH. Well, I think the country was ill-served because I do not think we who have been in partisan politics and then shift gears and hopefully—commendably—should then be branded and given the connotation of something less than decent.

Senator JACKSON. Yes, I agree.

Mr. BUSH. And I am very sensitive to that.

Senator JACKSON. That is right.

Mr. BUSH. And so I am proud of the service to the party and I think it ought not be per se a disqualification particularly if I have a track record in other fields. I am not upset in the least about your raising it because I know, I have got a heck of a problem.

Senator JACKSON. I think it is good for both parties to have someone of your stature as the chairman and not be categorized thereafter as being, shall we say, a pol or a professional politician per se. I think you are absolutely right on that point.

My point is that we are introducing a new criterion into this CIA area that we have never done before.

As far as Defense goes, Mel Laird was legally involved as chairman of various Republican committees and he did a marvelous job as Secretary of Defense.

My central point again is that I believe President Ford has a responsibility here to assure the committee, Mr. Chairman, that this

term is going to be—assuming he faithfully performs his duty—is going to be more than to next July. That is my point.

We insist in connection with every other candidate coming up, that it not be just an interim appointment. I want to make that observation.

Mr. BUSH. Mr. Chairman—

Senator JACKSON. Ambassador Bush is in an awkward position.

Mr. BUSH. Might I make a very brief reply?

The CHAIRMAN. All right.

Mr. BUSH. I will make it brief and strong.

I am not suggesting a precedent of a short term, but Secretary Schlesinger served very briefly in CIA before moving to the Defense Department. He serves at the pleasure of the President. You know, you are saying—

Senator JACKSON. But what was his background?

Mr. BUSH. He had a fine background.

Senator JACKSON. Yes; but I mean it was one of great professionalism. He had a Ph. D. in economics. He had been involved in strategic matters that ran for years, heavily involved in intelligence. He probably came to that office for a short period of time with greater expertise than most of his predecessors.

Mr. BUSH. I was simply, sir, addressing myself to length of time, for a certain period of time. That is my only point.

Senator JACKSON. He went on to another nonpolitical position as Secretary of Defense.

The CHAIRMAN. Gentlemen, I think we are about to end the questioning now and I preface that because there were some other persons who wanted to appear here, I am ready to stay and hear them and I hope others can.

Senator Hart has indicated he has additional questions.

All right, Senator Hart.

Senator HART. Mr. Ambassador, yesterday you indicated that you thought Congress should be made aware of executive decisions on covert operations going on in the world. I would like to get back to the question of when you think Congress should be made aware. Do you think it should be after a decision is made by the Executive to launch an operation but before implementation, or after the decision and after implementation. I make specific reference to the present problem of Angola.

Mr. BUSH. Well; I am not sure how Angola was handled in terms of—the law says timely and I do not know how that has been interpreted. Perhaps this information is—

Senator HART. Do you have any thoughts on it?

Mr. BUSH. My own view would be very quickly but I do not think it ought to be as I indicated yesterday, ought to be simultaneous with the decision being made which is the prerogative of the Executive.

Senator HART. But it seems to me fairly crucial as to whether that information comes to Congress before we have begun an operation or afterward. After we have begun operations, after we have put \$25 million into Angola, what are the alternatives open to Congress? What can Congress now do? What would you do if you were in Congress?

Mr. BUSH. Out of the recommendations of your committee you can pass legislation to clarify the Hughes amendment if that is what is required.

Senator HART. That is not going to help us too much with the present problem. It may help you in future ones.

Mr. BUSH. Well; I mean the present one—I hate to keep saying this—I have not been briefed on exactly what is happening in Angola and I do not believe many people have, but I think there are a lot of things that concern us.

Senator HART. It is fairly representative of a pattern of conduct. I do not refer to it to catch you off guard but get your views on procedures the leadership of this country has ordinarily used in the past.

Mr. BUSH. I would say timely notification but I would not want to tell you that I thought that should be done simultaneous with the President making a decision.

Senator HART. Then we launch the operation, and after we begin aid to a group of people in some country, only then would Congress have the alternatives of shutting it down or getting involved with the White House and the administration on the question of whether we should be there. A better method would be to be involved in the decisionmaking process at the outset.

Mr. BUSH. I think that—

Senator HART. That is a test case.

Mr. BUSH. I think that there are some areas where the President has those inherent powers and he should be allowed to proceed. I think consultation with Congress as provided under the Hughes amendment will eliminate much of what happened under several Presidents before. As I understand it, that amendment just passed in 1974.

Senator HART. The select committee has discovered that of the total amount of money spent by CIA on covert operations, only about a quarter of that money—roughly about a quarter of the projects approved—are approved by the 40 Committee. Three-quarters of the money and the projects are launched by the CIA itself. Would you feel better about conducting your job as Director of CIA if all covert operations were approved by the 40 Committee?

Mr. BUSH. Clearly.

Senator HART. Even if Congress decides?

Mr. BUSH. Clearly. I have no hesitancy in saying I would like the NSC approval on that type of operation.

Senator HART. The Rockefeller Commission in recommendation No. 26 suggested that there be a single and exclusive high level channel for transmission of all White House staff requests to the CIA, one person linking the CIA Director and Deputy Director with the President and that any communications outside that channel should be immediately reported to the DCI. What is your feeling about that?

Mr. BUSH. I am very much in favor of that and I think the DCI should be kept informed. I am sure there are a lot of, you know, day-to-day kinds of minimal requests, "Please look up a paper within such and such a time and send it to us." We do not want to get this job bogged down in too much redtape but in principle I agree that the Director should be informed of White House requests and I think it is a good safeguard against abuses.

Senator HART. That is all.

The CHAIRMAN. Thank you, gentlemen, anything else?

Senator JACKSON. Just one question.

The CHAIRMAN. Senator Jackson has asked for one question.
Senator LEAHY. Then I will want 2 minutes.

Senator JACKSON. Ambassador Bush, can you tell us who will be your deputy? Will it be the present deputy?

Mr. BUSH. No, sir.

I cannot tell you that.

Senator JACKSON. Are there any plans you know of for a change?
Mr. BUSH. None that I know of.

Senator JACKSON. I think it is relevant, Mr. Chairman.

The CHAIRMAN. Yes, I think it is relevant, too.

Senator JACKSON. I think we should ask the President whether he contemplates any change on the part of the overall administration of the CIA.

Mr. BUSH. I can say it is relevant to this question that I did ask for the right to, in consultation with the President, suggest a deputy should I feel that was necessary. But there is no commitment to continuation of the existing deputy or—

Senator JACKSON. That would be something you would discuss after you have been in office for a little while.

Mr. BUSH. No plans; no, sir.

Senator JACKSON. You want to feel your way and see what the situation is.

Mr. BUSH. Yes, sir.

The CHAIRMAN. If I may comment here, that question came to my mind. I made inquiry and as I understood it there were no plans to change deputies. The Deputy Director must also be confirmed by the Senate.

Mr. BUSH. Yes, sir.

The CHAIRMAN. The question was relevant and Senator Jackson conferred with me on it. I think if there is going to be a change you should be in on it, of course.

Mr. BUSH. Yes, sir.

The CHAIRMAN. And you expect to be, I suppose.

Mr. BUSH. I not only expect to be, sir, but I have the assurance of the President that, you know, I would have an input on the decision.

The CHAIRMAN. That is what I meant by being in on it. There are no references to the present incumbent or anything like that, but if there is going to be a change I think you should have a prominent part in that selection. Next to the President, the responsibility is yours.

All right, Senator Leahy, you had a question.

Senator LEAHY. Just a brief statement, Mr. Chairman. I will be brief.

The CHAIRMAN. Certainly.

Senator LEAHY. We have gone over a great deal and Ambassador Bush has gone through a great deal in the last 2 days.

Senator Goldwater said earlier that many of the problems of the CIA have resulted from the abuse of various Presidents and I agree with Senator Goldwater. I am always nervous when I state publicly that I agree with him. I am afraid I might hurt him back in Arizona.

But it is true and the ills have been caused by both Democratic and Republican Presidents who have abused the CIA, according to the report, but there is also another problem. That has been, as I stated yesterday, the lack of appropriate oversight by us here in the Congress..

I think that if nothing else comes out of all of this, hopefully, we will have some adequate oversight in the future.

But, you know, no matter what kind of oversight mechanisms we set up, they can only be effective to the extent that the Director of the CIA is effective in carrying out his responsibilities, not only to tell the truth to the various committees that might be involved with that, but making sure the Agency does not withhold things. I am concerned because there is a perception in this country that that is going on because we need a CIA and we need an intelligence community in this country, but I cannot believe that it can work effectively as long as this country perceives that it is continuously involved in either political chores for the President or things that go way beyond the charter and way beyond the law.

I wish, Mr. Ambassador, that you were here to be confirmed for any other position that this committee has jurisdiction over. I really do, because that question of perception still concerns me. It has concerned me for years not only with the CIA, but with the FBI and I stated publicly years before I came here that those are two positions that should be held by people who are seen as being totally divorced from politics. I find that I am troubled more by this nomination than by any other appointment we have had before this committee.

I am troubled by it more than any appointment that I have had to vote on as a Senator in the less than a year that I have been here, partly because of your own performance here, which I think has been a difficult one. I think it has been particularly difficult because you have been called upon to testify in such a really short time and you have not had a chance to do the preparation that I am sure you would have liked to do.

And I really cannot find it in me to vote for your confirmation on those grounds, but not because I perceive you as a dishonest man. I do not. Not because I perceive you as an incompetent person. Quite the opposite. You have proven time and time again that you are extremely competent, that you are extremely professional.

But I am concerned that the CIA is at a watershed in its perceptions, in its own being, and that the President is really doing a disservice in taking somebody without a background in the intelligence area and somebody who I think is going to be perceived as being a political appointment.

As I said, I wish you could have been here to be confirmed in any one of the other positions that this committee sits on.

The CHAIRMAN. All right.

Proceed, Mr. Bush.

Mr. BUSH. I do have a background of 3 years in highly sensitive foreign affairs experience, two of the highest diplomatic posts I believe this country has, in which I dealt with the product of intelligence. I know something about how intelligence works and I submit that is a good background. But, Senator, I know you have arrived at your conclusion honestly and I would only say I think it is unfortunate that you can say I have the character and I have the integrity, the perception, but that the way it is looked at by somebody else overrides that.

Thank you, sir.

Senator LEAHY. I think it is perhaps more difficult than that because of what has gone before us in the CIA. I think it is probably a problem of history that has put you in this difficult position. I have no question in my own mind as I made some informal notes around the Senate but that you will be confirmed. And I have no question but that your confirmation will be recommended by this committee, but I thought that it is a matter of honesty to you that you certainly deserve to know exactly what my feelings are.

Mr. BUSH. I respect your frankness, sir.

The CHAIRMAN. Mr. Bush, let me be sure we understand each other.

You have seen the concern here. You said you would not bargain away your birthright of citizenship or any part thereof, just to be confirmed or to receive an office. That was in reference to a question about the Vice Presidency. I like that position, frankly. But, you have also said now, as I understand, you were going to have no part, if you are confirmed, in this Presidential race of any kind, that your present sole purpose is to get in there and do the very best job you can and serve at the pleasure of the President, being no fixed term; is that correct?

Mr. BUSH. Yes, sir.

The CHAIRMAN. You have nothing in mind that could be in the nature of a reservation on any of those points.

Mr. BUSH. No, sir.

The CHAIRMAN. You are not going to show up quitting to go into business or seek office for yourself or for anyone else if I understand you correctly.

Mr. BUSH. That is correct, sir.

The CHAIRMAN. All right.

Is there anything else you want to say on that matter?

Mr. BUSH. No, sir.

The CHAIRMAN. Members of the committee, are there any other questions?

This has been a very thorough examination.

I think that is all the questioning. We are not trying to close the door on any members of the committee who might want to ask questions, but I think this will conclude the questioning period.

Members of the committee, other testimony that I propose to take now brings forth another explanation. We have set a number of nominations for 2 p.m. to which no objections have been filed. Mr. Robert Ellsworth, to be a Deputy Secretary of Defense; Thomas C. Reed, to be Secretary of the Air Force; William I. Greener, to be Assistant Secretary of Defense for Public Affairs; and Matthew J. Perry, to be a judge on the Court of Military Appeals.

Now, I propose that we recess until 2 p.m. and at that time take up these other matters that I have enumerated unless something about the Bush nomination might intervene. We have with us Mr. Cohen, president of Common Cause, who had asked to testify.

Mr. Cohen, please come to the witness table.

Mr. Bush, I think it will be well if you remain here and hear the testimony. You do not have to stay but that might save time.

Mr. BUSH. I will be pleased to stay, Mr. Chairman.

The CHAIRMAN. Those who wish to leave may do so, of course, but please do so quietly.

STATEMENT OF DAVID COHEN, PRESIDENT, COMMON CAUSE

The CHAIRMAN. Mr. Cohen, what is your full name, sir?

Mr. COHEN. My name is David Cohen.

The CHAIRMAN. Whom do you represent?

Mr. COHEN. I serve as president of Common Cause, a nonpartisan citizens lobby.

The CHAIRMAN. And you appear for them?

Mr. COHEN. I do indeed.

The CHAIRMAN. All right.

Proceed if you will. We are glad to have you here, sir.

Mr. COHEN. Thank you, Mr. Chairman, and we appreciate the opportunity today to testify on the nomination of Ambassador Bush to be Director of the Central Intelligence Agency.

My testimony will deal with two broad areas: One, the procedure the Senate Armed Services Committee should follow in all major confirmation matters including this one; and two, the special attention intelligence policy matters should receive at these hearings.

Common Cause believes the hearings on the nomination of Mr. George Bush to serve as Director of the Central Intelligence Agency present a special opportunity for the Armed Services Committee to set appropriate and proper standards for confirmation hearings on key Presidential appointees.

Senate committees frequently have neglected their constitutional responsibility in this area. Confirmation hearings are often empty rituals, involving hasty and superficial review of Presidential nominees. I think we have begun to see some progress made by the Senate Commerce and Interior Committees and we urge the Senate Armed Services Committee to make the confirmation process the kind of deliberate and probing undertaking it can and should be. Toward this end we suggest that the committee take the following steps in handling Ambassador Bush's nomination:

First, the committee should develop standards to govern its decision on Mr. Bush's confirmation. These standards should cover administrative competency and relevant expertise, as well as commitment to various principles of accountability and ground rules regarding CIA operations.

Second, the committee should carefully evaluate Mr. Bush's background and views on the basis of these standards. This evaluation should entail broad and extensive questioning. Frankly we believe that one or two days of hearings is insufficient to do the job.

Third, the committee should require Mr. Bush to submit a public financial disclosure statement and should examine it for any potential conflicts of interest. It should require resolution of any conflicts, if there are any, as a condition of confirmation.

Fourth, the committee should postpone voting on Mr. Bush for at least 2 weeks after the hearings are completed. This would enable the committee to study the hearing record and complete its investigation of his background. Mr. Bush could then be called back during that time for further questioning if the committee thought that that were necessary.

Fifth, the committee should issue a report to the Senate on the Bush nomination at least 3 full days prior to a Senate vote. This would give

other Senators ample time to scrutinize the record and the committee's findings. As seems to be the case in this instance, there is a disagreement within the committee. Time should be permitted to develop majority and minority views. The full Senate should vote on the Bush appointment. We believe that major appointments such as Director of CIA should receive a full confirmation hearing but the full Senate should be allowed to vote on all such appointments.

We believe these measures would guarantee a thorough and responsible evaluation of Mr. Bush's qualifications. We consider it particularly important that these steps be taken in connection with the nomination of the individual who would head a Government agency which has been the subject of such intense criticism and scrutiny in recent months. By adhering to these guidelines, the committee would also set an important standard for other Senate committees to follow and this would go a long way toward revitalizing the Senate's role in confirming Presidential appointees.

At a time when public confidence in governmental institutions is alarmingly low, it is especially important that the American public be convinced that the Senate is committed to carrying out its advice and consent function in an orderly, thorough, and judicious manner. To vote on confirmation before this session adjourns or recesses would be a travesty of the confirmation process. We believe it is also important to find out something about Mr. Bush's views on intelligence policy in a more formal way than has been done at this hearing.

Mr. Bush has indicated a belief that the United States must develop an intelligence capability second to none. Yet Bush has not yet expressed himself on substantive actions he would take as Director, nor has he addressed the concerns which the Congress and much of the public share on the conduct of intelligence operations in a democracy. I understand the reasons as to why this is so. It is certainly no fault of Ambassador Bush. But we do believe that the process here should be slowed down so that the Ambassador can in fact be fully briefed by Mr. Colby and others and that, in turn, he can provide fuller answers than he has been able to on questions that have been raised during this hearing.

We believe it is appropriate for the Senate to consider the nomination of Ambassador Bush only after he answers basic questions concerning the accountability of the Agency.

In order to have some time, Mr. Chairman, I would like the questions that we have submitted as possible examples to be included in the statement as if read. I only want to summarize three such questions.

One question we have raised is what steps would the Ambassador take to allow public review of intelligence budgets. This was a partial recommendation of the Rockefeller Commission. Ambassador Bush has indicated, at least general agreement with the Rockefeller Commission. He wanted to have a chance to study it further. I think this is one area where further study must be made because there seems to be some conflict between what the Ambassador said to Senator Hart and with the recommendations of the Rockefeller Commission.

Would Ambassador Bush recommend to the President that the administration notify all individuals who have been subject of intelligence programs and activities which were illegal, unconstitutional or beyond the charter of the offending agency?

As another example of a question I think has to be put, what specific steps would Ambassador Bush take to minimize political influence on the CIA?

Finally, Mr. Chairman, I would like to deal with the question of taking politics out of the CIA because the issue of confirmation before this committee has been made all the more serious because Ambassador Bush has refused to remove his name from consideration for Vice President. This refusal to forgo political ambition may be candid, but it shows astonishing lack of sensitivity to the events of the last few years.

I want to be very clear. The point I am making has nothing to do with Ambassador Bush's past background. It has to do with what he says about the future.

To learn from the mistakes and deficiencies of the past, a successful CIA head will have to run the agency differently. We have had the painful experience of seeing secrecy breed excesses. It leads to policy failures. It inevitably results in matters being kept from the Congress.

A CIA head who is ready to consider high elective office less than 1 year after his appointment will be perceived to service the short-term political needs of a sitting President rather than the duties of the agency and the best interests of the Nation. The need for solid intelligence analysis is too important to be mixed up with the pursuit of elective office. A willingness to seek or accept high elective office presents a clear and present danger to the CIA agency's mission and morale.

If the Senate Armed Services Committee and the full Senate approve Mr. Bush they will ratify and legitimize Ambassador Bush's availability for high elective office. The Senate cannot escape responsibility on this matter.

Just as Common Cause believes the Attorney General should now be drawn from a President's campaign so we believe that the head of the CIA should foreswear going from that office to any elective office.

Unless Ambassador Bush changes his position, Senate approval will sanction the concept of political ambition in the Director of the CIA. None of us would accept that concept for a Supreme Court justice or the Director of the FBI. Those who head agencies that deal with secret matters, and whose activities affect individual liberties, must be judged against the highest of standards. Fair administration of the vast powers of the CIA requires elimination of any appearance of present and future political involvement.

Unless Ambassador Bush changes his position we urge the Senate Armed Services Committee to report his nomination to the floor with a recommendation that it be rejected. It is the only responsible act in our judgment for the Senate Armed Services Committee to do.

In conclusion, Mr. Chairman, we believe this committee will be taking its confirmation responsibilities seriously if it calls Mr. Bush back and pursues with him again his refusal to withdraw from consideration for the Vice Presidency, pursues the kinds of policy questions we suggested, and then makes a full report to the Senate well in advance of these matters being debated.

The intelligence community has a history of being ungovernable. But to this point no real attempt has been made to gain that measure

of control which will insure that intelligence agencies perform only acceptable functions while allowing them the freedom to conduct operations with the requisite secrecy needed to insure success. The issue is to make the intelligence community governable and the Bush confirmation hearing is the first major test.

Thank you, Mr. Chairman.

The CHAIRMAN. You have given thought to that statement. You presented it well. I want to read it and I will read it. Of course, it will be in the record, too. We thank you for taking time to go into the subject, to prepare your statement, and for coming here, too.

Mr. COHEN. Thank you, Mr. Chairman.

The CHAIRMAN. All right. Thank you very much.

[The prepared statement of Mr. Cohen follows.]

PREPARED STATEMENT OF DAVID COHEN, PRESIDENT, COMMON CAUSE

Mr. Chairman, Common Cause appreciates the opportunity to testify today on the nomination of George Bush to be Director of the Central Intelligence Agency. I am David Cohen, President of Common Cause.

My testimony will deal with two broad areas:

- 1) the procedure the Senate Armed Services Committee should follow in all major confirmation matters;
- 2) the special attention intelligence policy matters should receive at these hearings.

Common Cause believes the hearings on the nomination of Mr. George Bush to serve as Director of the Central Intelligence Agency present a special opportunity for the Armed Services Committee to set appropriate and proper standards for confirmation hearings on key Presidential appointees. Senate committees frequently have neglected their constitutional responsibility in this area. Confirmation hearings are often empty rituals, involving hasty and superficial review of Presidential nominees. We urge the Armed Services Committee to make the confirmation process the kind of deliberate and probing undertaking it can and should be. Toward this end, we suggest that the Committee take the following steps in handling the Bush nomination:

First, the Committee should develop standards to govern its decision on Mr. Bush's confirmation. These standards should cover administrative competency and relevant expertise, as well as commitment to various principles of accountability and ground rules regarding CIA operations.

Second, the Committee should carefully evaluate Mr. Bush's background and views on the basis of these standards. This evaluation should entail broad and extensive questioning. One or two days of hearings is insufficient to do the job.

Third, the Committee should require Mr. Bush to submit a public financial disclosure statement and should examine it for any potential conflicts of interest. It should require resolution of any conflicts as a condition of confirmation.

Fourth, the Committee should postpone voting on Mr. Bush for at least two weeks after the hearings. This would enable the committee to study the hearing record and complete its investigation of his background. Mr. Bush could be called back during that time for further questioning if necessary.

Fifth, the Committee should issue a report to the Senate on the Bush nomination at least three full days prior to a Senate vote. This would give other Senators ample time to scrutinize the record and the Committee's findings. The full Senate should vote on the Bush appointment. Major appointments should receive a full confirmation hearing but the full Senate should be allowed to vote on all such appointments.

We believe these measures would guarantee a thorough and responsible evaluation of Mr. Bush's qualifications. We consider it particularly important that these steps be taken in connection with the nomination of the individual who would head a government agency which has been the subject of such intense criticism and scrutiny in recent months. By adhering to these guidelines, the Committee would also set an important standard for other Senate committees to follow and this would go a long way toward revitalizing the Senate's role in confirming Presidential appointees.

At a time when public confidence in governmental institutions is alarmingly low, it is especially important that the American public be convinced that the Senate is committed to carrying out its advise and consent function in an orderly, thorough and judicious manner. To vote on confirmation before this session adjourns or recesses would be a travesty of the confirmation process.

MR. BUSH'S VIEWS ON INTELLIGENCE POLICY

Mr. Bush has indicated a belief that the United States must develop an intelligence capability second to none. Mr. Bush has not yet expressed himself on substantive actions he would take as Director, nor has he addressed the concerns which the Congress and much of the public share on the conduct of intelligence operations in a democracy. We believe it is appropriate for the Senate to consider the nomination of Mr. Bush only after he answers basic questions concerning the accountability of the agency. Examples of such questions follow:

What steps would he take to allow public review of intelligence budgets?

Would he recommend to the President that the Administration notify all individuals who have been subjects of intelligence programs and activities which were illegal, unconstitutional or beyond the charter of the offending intelligence agency?

What would he do to reduce duplication and waste in the intelligence field?

As Director of Central Intelligence (his NSC post), what would he do to coordinate intelligence agencies?

What methods would he develop to facilitate Congressional assessment of the performance of the CIA and other intelligence agencies?

What form of new charter would he recommend to the Congress for the CIA, for NSC?

What limits would he set on covert activities abroad? at home?

What method would he advocate for "clearing" such operations, if any?

Would he agree to make all Presidential orders available for inspection to an appropriate oversight body?

Would he arrange the CIA hierarchy so that a definite chain of command existed and definite responsibility could be assigned for all actions?

Would he approve the upgrading of the position of the CIA inspector general as recommended by the Rockefeller Commission?

Would he agree to testify before Congressional committees?

How would he separate foreign and domestic intelligence activities?

What steps would he take to minimize political influence on the CIA?

TAKING POLITICS OUT OF THE CIA

The issue of confirmation is made all the more serious because Mr. Bush has refused to remove his name from consideration for Vice President. This refusal to forego political ambition may be candid but it shows astonishing lack of sensitivity to the events of the last few years.

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A CIA head who is ready to consider high elective office less than one year after his appointment will be perceived to service the short term political needs of a sitting President rather than the duties of the agency and the best interests of the nation. The need for solid intelligence analysis is too important to be mixed up with the pursuit of elective office. A willingness to seek or accept high elective office presents a clear and present danger to the agency's mission and morale.

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Unless Mr. Bush changes his position we urge the Senate Armed Services Committee to report his nomination to the floor with a recommendation that it be rejected. It is the only responsible act for the Senate Armed Services Committee to do.

CONCLUSION

In our judgment this Committee will be taking its confirmation responsibilities seriously if it calls Mr. Bush back and pursues with him again his refusal to withdraw from consideration for the Vice-Presidency, pursues the kinds of policy questions we suggested, and then makes a full report to the Senate well in advance of these matters being debated.

The intelligence community has a history of being ungovernable. But to this point no real attempt has been made to gain that measure of general control which will insure that intelligence agencies perform only acceptable functions while allowing them the freedom to conduct operations with the requisite secrecy needed to insure success. The issue is to make the intelligence community governable and the Bush confirmation hearing is the first major test.

The CHAIRMAN. Now, gentlemen, the next witness, Mr. Heisler. Come around, please, sir and give your full name to the committee.

**STATEMENT OF EDWARD HEISLER, SOCIALIST WORKERS
1976 NATIONAL CAMPAIGN COMMITTEE**

Mr. HEISLER. My name is Ed Heisler.

The CHAIRMAN. Do you represent the Socialist Workers 1976 National Campaign Committee?

Mr. HEISLER. Yes. I am national chairperson for our Presidential campaign committee, and I am a member of the national committee of the Socialist Workers Party.

The CHAIRMAN. Welcome, and may I ask you how much time you want?

Mr. HEISLER. I will be very brief, perhaps 6, 7, or 8 minutes.

The CHAIRMAN. That is all right. We are glad to have you here. We were not going to limit your time unless it happened to be an extreme amount. You may proceed in your own way.

Mr. HEISLER. My party is running Peter Camejo for President, and Willie Mae Reil for Vice President of the United States. I am here today to speak in opposition to the nomination of George Bush to the post of Director of the Central Intelligence. I want to thank the committee for the opportunity to present my views.

I am speaking today as one of the victims of the practices of the CIA. As you are probably aware, members of my party have been the objects of a 25-year CIA campaign of illegal surveillance. In addition to that, the FBI has also conducted criminal illegal activities designed to disrupt the political campaigns and other activities of the Socialist Workers Party. This is despite the fact that the Socialist Workers Party does not advocate or engage in violent or illegal activity. And the CIA and the FBI have never produced a shred of evidence contrary to this.

It is not only the members and supporters of the Socialist Workers Party that have been victimized by the CIA. The rights of thousands of Americans, be they trade unionists, civil rights activists, or opponents of war such as the one in Southeast Asia, have been and continue to be up until today violated by the Central Intelligence Agency.

In order to halt these illegal activities against us, my party has filed a lawsuit against the CIA and the FBI. We are seeking \$27 million in damages for the attacks we have suffered on our right to express our views, our right to run candidates for public office, and our right to win people to our point of view.

This case will be going to trial early next year in Washington, D.C., and if Mr. Bush is confirmed as the Director of the Central Intelligence Agency, he will be a defendant in that trial.

I have with me today just a few of the files that the CIA has been forced to divulge as a result of our lawsuit. These files prove that the CIA began spying on the Socialist Workers Party, especially its candidates for public office, in 1950. I also have here files that the CIA has gathered on our Presidential candidate, Mr. Peter Camejo. These are just a few of the files. The CIA has indicated to us that they have hundreds of more pages of information on Peter Camejo which so far they have refused to release. Prominent individuals from all walks of American life, including former Attorney General Ramsey Clark, NAACP, Labor Director Herbert Hill, Members of the Congress, and the editors of the New York Times newspaper have publicly condemned this outrageous violation of our constitutional rights.

Has Mr. Bush expressed his opposition? He has not. I would urge this committee to reject the nomination of Mr. Bush or any other individual who has not taken a clear stand against CIA surveillance of the Socialist Workers Party and other America political organizations. CIA's activities have been the most lethal outside the borders of this country. It has played the role of an international agency of repression. Under Democratic and Republican administrations alike, the CIA has acted to crush popular movements abroad, overthrow democratically elected governments, and assassinate political figures judged to be threats to the investments of American corporations.

In 1960, for example, the CIA trained and equipped mercenaries who carried out an invasion of Cuba. Numerous lurid assassination plots against Fidel Castro have been revealed.

More recently the CIA attempted to determine the outcome of an election in Chile. When that failed it organized a military coup that brought a military dictatorship into power that murdered thousands of innocent men, women, children, trade unionists, students, working people. And today the CIA is, right now today, supporting and backing that military dictatorship in Chile, and Mr. Bush supports that dictatorship, too, and would continue as Director of the CIA.

You know, in yesterday's session a committee member asked Mr. Bush point blank if he would direct the CIA under instructions from the President to organize the forceful, violent overthrow of a democratically elected government in the future. Mr. Bush responded in a very careful way. He said we would tread very carefully in organizing that kind of illegal action overthrowing a democratically elected government. And today again, at this hearing, he refused to say categorically that he would not attempt to use the CIA to overthrow democratically elected governments in the world.

That can only mean one thing. He would, if instructed to, by the President of the United States.

Now, he said that he would not rule it out forever, but I think he would not rule it out tomorrow or the day after tomorrow, whenever he is confirmed, if he is confirmed as Director of the CIA.

He talked about Hitler. Everyone knows that the Hitler regime in Germany did not come to power through democratic elections. Fascism has never come to power anywhere in the world through democratic elections, but Mr. Bush, as a Government figure and leader has supported right wing military and even Fascist type, Hitlerite type military dictatorships.

For example, the Franco regime in Spain. He supported that.

Today the CIA, the Ford administration, are supporting the racist apartheid regime in South Africa. A dictatorship like that is considered a great friend of this government, a great friend of the CIA, and whatever administration is in power.

Today the State Department and the CIA are working hand in glove with the racist South African regime to carry out a military intervention in Angola. There are thousands of South African troops in Angola today, fighting against that liberation movement. At this very moment, the CIA is distributing millions of dollars in military weapons and supplies in Angola, in an attempt to determine the political destiny of the people of that country. That is just part of the record of the CIA internationally.

Where is the record of Mr. Bush's opposition to these undemocratic and criminal practices? It is not available. I do not think this committee should approve the nomination of any Director who has not committed himself to putting an end to the CIA's interference of the internal affairs of people in other countries. The Socialist Workers Party is demanding that all secret FBI and CIA files be opened to the public. For example, we would like all of the files, all of the CIA files on our Presidential candidate, Mr. Camejo, released to the public because we do not have anything to hide. We have nothing to hide but we think the CIA has much to hide and conceal from the American people.

We can be sure that all of these revelations that have already come to the surface and been published are just the tip of the iceberg and that even more horrible atrocities and crimes committed in the name of the American people behind our backs still remain enshrouded in secrecy. We think that it is the fundamental right of the American people to know the full truth about policies that are being carried out behind our backs and in our name. And we think bringing all of the facts about the illegal CIA activities into the open can be an important first step in putting an end to them.

I urge this committee to refuse to confirm Mr. Bush or any other candidates, potential candidates, who will not issue a clear statement to that effect. Because my party has been a target of CIA harassment for over 25 years and because of our deep concern about the democratic rights and the well-being of working people here and around the world, we are vitally interested in decisions made by Congress in relation to CIA.

Because of the facts I have pointed out, the Socialist Workers Party has no confidence at all in Mr. Bush and we do not think any American can feel any confidence about his intentions to stop the criminal activities that have been the CIA's trademark since its inception or

to expose those that have already been carried out, and for these reasons I urge you to reject this nomination.

The CHAIRMAN. All right. I thank you very much for your time and your attention here, and for presenting your statement.

Just one question about the files. What do you think about opening up all the FBI files, for instance? What is your position on that?

Mr. HEISLER. We would like the FBI—in fact, we are demanding that the FBI release to the public all of the files they have on the Socialist Workers Party or any other political dissident groups in this country—the black movement, the antiwar movement in the past—because we do not have anything to hide, but we know now from documents that we have uncovered as a result of our lawsuit, just a few documents, that the FBI is hiding illegal criminal activities conducted against us and many others.

The CHAIRMAN. My question really was, would you favor the opening up to the public—

Mr. HEISLER. To the public.

The CHAIRMAN [continuing]. Of all FBI files? What about that?

Mr. HEISLER. Yes; we do not—we think all of their files on political dissidents in this country, political organizations, the union movement, the civil rights movement, the women's liberation movement, the Socialist movement, should be released. That is what we are recommending.

The CHAIRMAN. My question is: do you favor opening up all FBI files?

Mr. HEISLER. Which files do you have in mind specifically?

The CHAIRMAN. FBI files, all of them, every one. Whatever they have. They have a file on me, I suppose. I sent them a letter when I was an officer in my State, district attorney, but my question is open up all files? Do you favor that?

Mr. HEISLER. All right. Let us start with the files on the Socialist Workers Party. Let us start there. They are refusing to even open up those files.

The CHAIRMAN. I do not want to prolong this if you do not mind. If you cannot answer that "yes" or "no," that is all right.

Mr. HEISLER. Which files do you have in mind? Are you thinking, for example, of a file—say they have a file on someone who committed forgery. That type of criminal activity. Of course, we are not asking them to release those kinds of files. We are asking them to release files that prove and demonstrate illegal activities in violation of the Bill of Rights. That is the only files.

The CHAIRMAN. This is just an approach to this question. Listen to my question, please. Do you advocate opening up all of the FBI files and all the cases that they work on and develop? Is that your position?

Mr. HEISLER. We think that all of the files that pertain to criminal and illegal activities conducted throughout the world like political assassinations, like overthrowing governments through force and violence, criminal activities of that type, activities that are in violation of international law and in many cases domestic law, those files should be released; yes.

The CHAIRMAN. And you are talking about our files in our CIA?

Mr. HEISLER. We would like our files—we do not think the CIA should have any files on any person in this country because of their political activity.

The CHAIRMAN. All right.

Mr. HEISLER. Even under the congressional mandate they are not supposed to do that, but regardless—

The CHAIRMAN. You have made that clear. Let me ask you one more question. Do you think that we should have a CIA of any kind?

Mr. HEISLER. Well, if you can think of a good function for them, it is very clear now that CIA has been used primarily as an instrument to force governments and dictatorships on people throughout the world. It has not served any kind of progressive cause at all.

You have the example of Chile.

The CHAIRMAN. I am looking for one person who advocates the abolition of the CIA. Are you that one?

Mr. HEISLER. We favor the abolition of the CIA; yes, we do.

The CHAIRMAN. All right.

Mr. HEISLER. Because they are not an organization set up to protect freedom or democracy or anything like that throughout the world. Where have they done that? They have not. Give me an example of where they helped to extend democratic rights for any people anywhere in the world. Give me one example.

The CHAIRMAN. All right. You have answered my question.

Mr. HEISLER. They cannot.

The CHAIRMAN. Is there any other explanation you want to add to that answer, you may do so, but answer it yes or no, and I commend you for saying it one way or the other.

Mr. HEISLER. No. We do not like to beat around the bush.

The CHAIRMAN. All right. Well, thank you very much for coming.

Now I had an inquiry from Mr. E. C. Ackerman. All right, sir, come around, please.

STATEMENT OF E. C. ACKERMAN

The CHAIRMAN. You are from Florida, I understand.

Mr. ACKERMAN. Yes, sir.

The CHAIRMAN. And you came up here just for this purpose.

Mr. ACKERMAN. Yes, sir.

The CHAIRMAN. Well, we want to thank you for that. You were formerly with the CIA.

Mr. ACKERMAN. Yes, sir.

The CHAIRMAN. All right. You do have a prepared statement, don't you?

Mr. ACKERMAN. Yes, sir.

The CHAIRMAN. Please read your statement.

Mr. ACKERMAN. Mr. Chairman, I wish to express my appreciation for this opportunity to appear before the Armed Services Committee. I regret that I must speak against the nomination of Ambassador Bush as Director of the CIA.

I want to make it clear from the outset that I have no reason to question Ambassador Bush's ability or his integrity. It is my understanding that he rates high marks in both. But the fact is that he is a partisan political figure, and I believe that his installation as CIA Director would have the effect of dragging the CIA into an election

year political controversy which would be disastrous for the Agency and the country.

I speak only for myself, but I believe that many of my views are shared by my former colleagues, working case officers in CIA clandestine services. I spent 11 years as a case officer. I worked in 20 countries. I was principally involved in acquiring intelligence information from human sources in the Soviet bloc countries. I resigned from the CIA on May 30 this year because I felt I could no longer do my job. Wholesale exposure of intelligence methods and information had destroyed my ability to recruit and sustain contact with sources. I hoped to call attention to this situation but my call has largely been ignored.

Mr. Chairman, I feel that we have for the past year been involved in a situation which does credit to none of us. We have all been wrong. The CIA undertook improper operations and the improprieties demanded inquiry by appropriate political institutions, but a clandestine intelligence service is a fragile mechanism which simply cannot be investigated in public. The inquiry has been all too public. Much of it has been carried out in the media and it has not been American journalism's finest hour. With a few noteworthy exceptions, it has been the hour of the sensationalist and the advocates; and much of the inquiry has been carried out in Congress—and I fear this investigation, too—has been tinged with sensationalism and with partisanship.

The result is that today our case officers abroad who, in many cases, live under constant threat of imprisonment or kidnapping and execution by terrorist groups simply cannot perform effectively. When a case officer recruits a new source he is inevitably obliged to convince that source of his ability to protect the source's security. This consideration is of paramount importance for many sources and all of the most valuable ones maintain contact at the peril of their lives.

Today the case officer's task is next to impossible. Sources wonder with some justification if they will be the object of the next leak or the next investigation or the next CIA employee who takes it upon himself to tell all he knows. Case officers can argue with merit that the agency can protect source identities, but sources are not prone to draw fine lines of distinction between that which can be protected and all that which has been exposed.

We have paralyzed the clandestine services at a time when they are sorely needed, a time of questionable détente, of escalating international terrorism and most dangerous of all, impending nuclear proliferation. We have had our orgy of exposé. It is time to stop. It is time to put sensationalism aside, to put partisanship aside, to consider soberly and in a nonpartisan manner the future role of the CIA. It is time to reach a national consensus that we will have an effective intelligence service that is for the simple reason that we must have an effective intelligence service. The installation of Ambassador Bush as CIA Director would not permit a nonpartisan consideration of the future role of the CIA nor would it allow the establishment of a broad national consensus on this subject. It would instead politicize the question of CIA reform. It would pit a Republican CIA Director against a Democratic Congress, against Democratic Presidential aspirants. It would inevitably embroil the agency in the 1976 Presidential campaign. It would prolong indefinitely the paralysis of the clandestine services.

We have never had a partisan CIA Director and this is exactly the wrong time to set such a precedent.

Therefore, I call upon the President to withdraw the nomination of Ambassador Bush and if this withdrawal is not forthcoming, for the Armed Services Committee to reject that nomination.

Thank you.

The CHAIRMAN. Well, I thank you very much. You have made some good observations there. I do not resent them one bit. You said this hearing had sensationalism about it. What have you seen here this morning sensational, or yesterday?

Mr. ACKERMAN. No, I am sorry. I was referring to the hearings of the Senate Select Committee on Intelligence.

The CHAIRMAN. Well, I thought you were talking to us. What did you see sensational about them, their hearing, I mean?

Mr. ACKERMAN. Well—

The CHAIRMAN. I have not heard anything like that from any other source, but you certainly are entitled to your opinion.

Mr. ACKERMAN. I thought there was questionable necessity to hold open hearings, to drag senior intelligence officers before television cameras at open hearings. I would say that every open hearing and every such appearance makes it more difficult for the working case officer in the field to deal with his sources.

The CHAIRMAN. You have made that clear. I am impressed with what you say about it being more difficult for the employees of the CIA to operate when things are stirred up and that is a concern that is on the minds of many of us here on this committee, I can assure you.

You were with the CIA for 13 years?

Mr. ACKERMAN. Eleven years, sir.

The CHAIRMAN. Excuse me, 11 years. And you resigned, voluntarily?

Mr. ACKERMAN. Yes, sir.

The CHAIRMAN. All right. I do not agree with all your conclusions but I think you have some good points in your statement, certainly worthy of our record, and I thank you again very much for coming.

Mr. ACKERMAN. Thank you very much.

The CHAIRMAN. For the information of those who may be interested, we resume hearings here or convene here again at 2 p.m. today. We will have with us Mr. Robert Ellsworth, Mr. Thomas C. Reed, Mr. William I. Greener and Mr. Matthew J. Perry. We will proceed with an examination of those gentlemen with reference to the positions for which they have been nominated. For those who are not here, if anyone is representing them, ask them please to arrive a little ahead of time.

Mr. Bush, as I said, so far as I know this concludes the testimony in the matter of your nomination. I will have to confer with the committee further. If any have additional questions it will be their privilege to ask them. But with the thanks of the committee for your attention and your attendance, so far as we know and are concerned, you need not come back until further notice.

Mr. BUSH. Thank you, Mr. Chairman.

The CHAIRMAN. All right, the committee will take a recess until 2 p.m. today.

[Whereupon, at 1:15 p.m., the nomination hearing of Mr. Bush was concluded.]